

The 19th December 1885.
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| Foreign Mails for | Date of closing at Calcutta. | Per Steamer |
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| Madras and Ceylon | 1885. 26th Dec. | P. and O. Str. Pekia. |
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| Foreign Mails via Bombay | 22nd " | From Bombay. |
| Do. Book Post and Pattern Packets | 21st " | From Bombay. |
| Rangoon and Moumein | 23rd " | Str. Simla. |
| Chittagong, Akyab, Kyauk Phyo, Sandoway and Rangoon | 23rd " | Str. Bussang. |

* Also for Cape of Good Hope and Natal through United Kingdom can be forwarded.

† Also for Port Blair can be forwarded by this opportunity.

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E. HUTTON,
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گورنمنٹ سکونا فبري فيوج

یہ دوا کوئیٹائین کا خوب قائم مقام ہے اور کلکتہ کے ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے ہوائیک ملزم سرکاری واسطے سرکاری کام اور خیرات کے اور سولے اوتکے جو کوئی ایک مشیت بیس پونڈ خرید لینے سے بقیہ تمام حسب نوع ذیل خرید کر سکتے ہیں یعنی نرخ چار اونس کے تین کا چار روپیہ آٹھ آٹھ کے تین کا آٹھ روپیہ آٹھ آٹھ کے ایک پونڈ کے تین کا سولہ روپیہ آٹھ آٹھ

اور عوام الناس ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے بقیہ تمام نقد حسب نوع ذیل خرید کر سکتے ہیں یعنی نرخ چار اونس کے تین کا پانچ روپیہ آٹھ آٹھ کے تین کا دس روپیہ آٹھ آٹھ کے ایک پونڈ کے تین کا بیس روپیہ

یہ دوا کلکتہ کے بڑے بڑے ولایتی اور دیسی دوا خانوں میں بکتی ہے ماسوائے قیام مذکورہ بالا کے محصول ذاک چار رو اٹھ اونس کے تین کا آٹھ آٹھ کے تین کا اور ایک پونڈ کے دس کا بارہ آٹھ

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کرسٹلین سکونا دوائی بخار

لال سکونا بارک کی ایک نئی اور عمدہ دوا گورنمنٹ فاکٹری میں تیار ہوئی ہے معمولی بے صاف کی ہوئی دوائی بخار سے کوئی کے لئے بہت خوب قائم مقام ہے اور سیب پور متعل کلکتہ کے ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے ہر ایک ملزم سرکاری کام اور خیرات کے لئے اور وہ لوگ جو ایک مشیت بیس پونڈ لین نقد اس دوا سے خرید سکتے ہیں یعنی چار اونس کے تین کا چھ روپیہ آٹھ آٹھ کے تین کا بارہ روپیہ آٹھ آٹھ کے ایک پونڈ کے تین کا چوبیس روپیہ

اور عام لوگوں کو ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے نقد اس دوا پر مل سکتا ہے یعنی چار اونس کے تین کا آٹھ روپیہ آٹھ آٹھ کے تین کا آٹھ روپیہ آٹھ آٹھ کے ایک پونڈ کے تین کا بیس روپیہ یہ دوا کلکتہ کے بڑے بڑے ولایتی اور دیسی دوا خانوں میں بھی بکتی ہے محصول ذاک چار اونس کے تین کے لئے چار آٹھ آٹھ کے تین کے لئے آٹھ آٹھ کے تین کا اور ایک پونڈ کے تین کے لئے بارہ آٹھ علاوہ اوپر لکھے ہوئے نرخ کے ہے

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PART II.

Notifications by High Court, Comptroller General, &c.

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Matter intended for publication in the Supplement should reach the Press not later than Thursday.

E. J. DEAN,

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SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Calcutta, the 15th December 1885.

No. 27.—The services of 3rd Grade Assistant Surgeon Hari Mohan Sen, of the Imperial list, are placed at the disposal of the Chief Commissioner, Central Provinces.

B. SIMPSON, M.D.,

Surgeon-General with the Govt. of India.

STATEMENT of Government Promissory Notes enforced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th December 1885.

| PARTICULARS. | ST. JOHN'S TRANSFER LOAN OF 1853-54. | 4 PER CENT. LOANS | | | | | | 4½ PER CENT. LOANS | | | | TRANSFER LOAN OF 1870, SEVEN SHIL- LINGS PER CENT. POSITION. | 5 PER CENT. LOAN OF 1866-67. | GRAND TOTAL. | |
|---|---|-------------------|-------------|-------------|-------------|---|-------------|--------------------|-----------|--|-------------|---|------------------------------------|--------------|--------------|
| | | OF 1852-53. | OF 1854-55. | OF 1856-58. | OF 1857-59. | Reduced 4 per cent. Loan of 1870. | TOTAL. | OF 1870. | OF 1878. | TRANSFER LOAN OF 1870, 4½ PER CENT. POS- ITION. | TOTAL. | | | | |
| | | | | | | | | | | | | | | | |
| Balance of 30th November 1885 | 54,100 | 13,72,587 | 27,52,800 | 2,22,11,000 | 91,75,100 | 2,58,26,600 | 2,32,15,900 | 8,43,53,987 | 44,24,000 | 79,26,000 | 9,57,30,000 | 10,80,80,000 | 1,23,000 | 32,200 | 19,26,43,287 |
| <i>Add—</i> | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 51,000 | 51,000 | ... | ... | 51,000 |
| Amount enfaced at Madras between 1st and 15th December 1885 | ... | ... | ... | 1,60,500 | 2,000 | 45,500 | 9,000 | 2,17,000 | ... | 2,000 | 16,000 | 18,000 | ... | ... | 2,35,000 |
| Amount enfaced at Bombay between 1st and 15th December 1885 | ... | ... | 500 | 38,200 | 1,500 | 77,800 | 6,300 | 1,24,300 | 5,000 | 4,500 | 2,58,300 | 2,67,800 | ... | ... | 3,92,100 |
| Amount enfaced at Calcutta between 1st and 15th December 1885 | 54,100 | 13,72,587 | 27,53,300 | 2,22,09,700 | 91,78,600 | 2,59,49,900 | 2,32,31,200 | 8,46,95,287 | 44,29,000 | 79,32,500 | 9,60,55,300 | 10,84,16,800 | 1,23,000 | 32,200 | 19,33,21,387 |
| <i>Deduct—</i> | ... | ... | 3,700 | 2,24,100 | 3,800 | 4,37,900 | 13,400 | 6,82,900 | 25,000 | 25,600 | 2,21,500 | 2,82,100 | ... | ... | 9,65,000 |
| Amount written off in the London Registers | 54,100 | 13,72,587 | 27,49,600 | 2,19,85,600 | 91,74,800 | 2,55,12,000 | 2,32,17,800 | 8,40,12,387 | 44,04,000 | 79,06,900 | 9,59,23,800 | 10,81,34,700 | 1,23,000 | 32,200 | 19,23,56,387 |
| Balance on 15th December 1885 | 54,100 | 13,72,587 | 27,49,600 | 2,19,85,600 | 91,74,800 | 2,55,12,000 | 2,32,17,800 | 8,40,12,387 | 44,04,000 | 79,06,900 | 9,59,23,800 | 10,81,34,700 | 1,23,000 | 32,200 | 19,23,56,387 |

NOTE.—From 9th June 1967 to 15th Oct. 1965, enclosed from India, 5,163 lakhs; re-transferred from London 4,559 lakhs.

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Balance against India. . . 500 lakhs.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 16th December 1885.

R. HARDIE,
Secretary and Treasurer.

GOVERNMENT ENGINEERING COLLEGE.

An examination for admission to the Mechanical Apprentice Department will be held at the College on Monday and Tuesday, the 18th and 19th January 1886.

Candidates must apply in writing to the Principal of the College not later than the 10th January 1886, for permission to appear at the examination, enclosing a certificate of good conduct and a certificate of age.

For admission to this Department, candidates must be between the ages of 15 and 17 years.

The subjects of examination are—

Arithmetic (the whole).

Algebra (to Simple Equations).

Euclid (Books I and II).

English Grammar and Composition.

Every applicant, before admission to the College, will be examined by the College Surgeon as to his physical strength, fitness for manual labour, and eyesight. If this officer's report is unsatisfactory, the applicant will not be admitted.

Further particulars will be supplied on application to the Principal of the College.

S. F. DOWNING,

Principal, Govt. Engrg. College.

SEERPORE,

The 5th December 1885.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 8th December 1885.

EXCHANGE OF PARCELS WITH MALTA.

From the 1st of January 1886, parcels will be received at any Indian Post Office for transmission to Malta.

2. The limit of weight for such parcels will be 7 pounds.

3. The rate of postage, and the conditions as to size, contents, value, customs declarations and manner of posting generally, will be the same as those prescribed for parcels addressed to the United Kingdom and intended for delivery through the British Post Office.

L. G. WAIT,

Asst. Director General of the Post Office of India.

Unclaimed Letters held in the Calcutta General Post Office on 23rd December 1885.

| | | |
|---------------------------------|---------------------|-----------------|
| Archer & Farrington, Messrs. | Gilmour, Rev. F. P. | Nicola, J. |
| Brinsmead & Co. | Hammond, Capt. D. | Pattison, J. |
| Browne, Mrs. Harold. | Heywood, J. G. | Percival, R. W. |
| Fentou, E. M. C. | Hollis, Mrs. W. H. | Thompson, Mrs. |
| | Jones, Rev. P. J. | Whison, J. |

Letters marked "Care of Post Office."

| | | |
|------------------------|-----------------------|--------------------------|
| A. B. | Gilmour, Capt. D. C. | Pierotti, Nicolao. |
| A. G. Miss. | Gordon, George. | Pratap Singh, Maharajah. |
| Adcock, H. | Gow, Mrs. | R. B. |
| Anderson, Miss Wright. | Gow, J. F. | Rand, Rev. W. |
| Anisacke, L. A. C. | Greenhill, E. G. | Rateaux, Caleraf. |
| Arnold, Edwin. | Greig, J. | Remeneff, Herr. |
| Atkinson, Thos. | Gustave, Esq. | Richards, H. A. |
| Atkinson, Mrs. T. | H. | Robinson, F. A. |
| Bagge, W. H. | H. H. | Robinson, W. |
| Barclay, J. J. T. | Haly, J. J. | Roberts, P. |
| Barr, H. C. | Harris, Thos. | Rode, Capt. J. |
| Bartlett, W. | Hastrom, E. W. | Rose, Alex. McK. |
| Bateman, H. H. | His Highness Maharaja | Roseneck, J. de T. |
| Bennett, J. B. | of Hutwa. | Sawyer, Chas. H. |
| Best, D. | Hobbs, J. | Scott, John. |
| Blondi, Felicia. | Hobson, E. A. | Stanislaus, W. |
| Binker, Mr. | Horsford, Mr. | Stevens, H. W. |
| Bowen, C. A. A. | Irvine, Esq. | Smith, D. McL. |
| Bowen, Sir Geo. F. | Jessie. | Smith, F. E., Mrs. |
| Bracken, J. M. | "Jute Spinner." | Speakman, Miss. |
| Brown, Rev. J. J. | K. P. M. | Stanton, C. |
| Bruce, T. | Kellner, E. R. | Stuart, Miss. |
| Burke, Master W. T. | King, Rev. A. F. | Stuart, C. S. |
| Carbutt, Francis. | Kirkbride, J. | Symons, W. S. |
| Carpenter, A. | Knight, Capt. M. J. | Talbot, Mrs. H. S. |
| Catter, A. | Krakhaman, S. | Tancovico, M. |
| Cave, W. | Larkin, H. | Taylor, Capt. A. J. |
| Cliff, H. W. | Lowe, Mrs. | Thibaud, P. T. |
| C. S. | M. | Thom, Alfred A. |
| Cohen, Miss Fanny. | MacDougall, D. | Thompson, R. S. |
| Collins, Mrs. | Martin, Mrs. | Thorpe, Sydney. |
| Crawhall, Hugh. | Mellis, Major. | Thurman, W. A. |
| Cumberland, Mrs. S. | Menzies, W. D. | Tighe, James. |
| David, A. | Meyer, A. | Tudor, T. G. |
| "Dec." | "Midas." | Tulloch, H. |
| Dessa, H. J. | Miraglia, Giuseppe. | Tyrell, David. |
| Easton, Percy H. | Mitford, Col. | Vab, Mrs. |
| E. | Moore, Capt. G. R. | Walker, P. C. |
| Ferrell, Mrs. J. B. | Natovitch, Nicolas. | Walton, G. H. |
| Flinisch, Ferdinand. | "Nemo." | Watson, Col. T. J. |
| Forbes, Norman D. | Noel, L. A. | Webster, Fred. |
| Fraiser, H. | Norris, H. | Whitworth, Henry. |
| Franklin, R. O. | Palmer, Col. A. P. | Wilson, Mrs. |
| Frashfield, E. | Paterson, Dr. Geo. | Wilson, Mrs. Mark. |
| Frisoni, A. G. | Peurose, Miss. | Withington, Edmund. |
| Fry, Arthur. | Phillips, Henry. | Wittelstraus, W. |
| G. P. O. | Phillips, Wm. | X. X. A. |

Registered Letters.

| | | |
|-------------------|--------------------------|----------------|
| Allen, C. H. | Palmer, Col. A. P. | Sternbergh, M. |
| Forbes, W. D. | Pratap Singh, Maharajah. | Turner & Co. |
| Harris, Ashley. | | Wilson, Mrs. |
| Overbury, Mrs. F. | Roe, Lt. B. J. | |

E. HUTTON,

Presidency Postmaster, Calcutta.

Unclaimed Letters held in the Barrackpore Post Office on the 21st December 1885.

| | | |
|----------------------------|----------------------|-----------------------|
| Arrakiel, M. | Hart, E. H. | O'Connor, E. P. |
| Commercial Agent. | Hart, H. | Scott, Major A. F. C. |
| Doorga Mitter, Contractor. | Henderson, Col. | Walker, A. H. |
| Fagan, H. R. | Nicholls, H. | Watt, J. |
| Hart, C. H. | Nicholls, Mrs. W. S. | Whitmarah, Mrs. H. |
| | O'Connor, E. P. | |

A. P. GHOSAL,

Postmaster, Barrackpore.

The 24th December 1885.

SEA AND FOREIGN MAILS.

| Foreign Mails for | Date of closing at Calcutta. | Per Steamer |
|---|------------------------------|-------------------------------|
| Madras and Ceylon | 1885. 26th Dec. | P. and O. Str. <i>Pekia</i> . |
| Foreign Mails via Bombay | 29th " | From Bombay. |
| Do. Book Post and Pattern Packets | 29th " | From Bombay. |
| Rangoon and Moulmein | 30th " | Str. <i>Parulia</i> . |
| Chittagong, Akyab, Kyauk Phyo, Sandoway and Rangoon | 30th " | Str. <i>Cocoonada</i> . |
| Madras, Ceylon, Batavia, Singapore, and China | 1886. 1st Jan. | Fr. Str. <i>Tibre</i> . |

* Also for Cape of Good Hope and Natal through United Kingdom; also via Aden for Lamoo, Mombasa, Zanzibar, Kilwakinjo, Lindi, Mozambique, Delagoa Bay, and Cape Colonies can be forwarded.

N.B.—The letter-box will close at 7 p.m. precisely, after which hour Foreign letters, fully prepaid and bearing an extra postage-stamp of four (4) annas on each cover, will be received up to 7-30 p.m.

E. HUTTON,

Presidency Postmaster.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for quinine, and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanic Garden, Calcutta, *for cash only*, at the following rates—per four-ounce tin, *R4-8*; per eight-ounce tin, *R8-8*; per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanic Garden, *for cash only*, at the undernoted rates—per four-ounce tin, *R5-8*; per eight-ounce tin, *R10-8*; per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage eight annas per four and eight ounce tins, and twelve annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيو

یہ دوا کوئیٹائین کا خوب قائم مقام ہے اور کلکتہ کے ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے ہوائیک ملازم سوکاري واسطے سرکاری کام اور خیرات کے اور سوائے اونکے جو کوئی ایک صفت بیس پونڈ خرید لینے سے بقیہ تمام نسخہ ذیل خرید کرسکتے ہیں یعنی نرخ چار اونس کے تین کا چار روپیہ آٹھ اونس کے تین کا آٹھ روپیہ آٹھ اونس کے ایک پونڈ کے تیس کا سولہ روپیہ آٹھ اونس

اور عوام الناس ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے بقیہ تمام نسخہ ذیل خرید کرسکتے ہیں یعنی نرخ چار اونس کے تین کا پانچ روپیہ آٹھ اونس کے تین کا دس روپیہ آٹھ اونس کے ایک پونڈ کے تیس کا بیس روپیہ

یہ دوا کلکتہ کے بڑے بڑے دلائی اور دھبی دوا خانوں میں بکتی ہے ماسوائے قیصہ مذکورہ بالا کے محصول ذاک چار رو آٹھ اونس کے تیس کا آٹھ اونس کے ایک پونڈ کے تین کا بارہ اونس

CRYSTALLINE CINCHONA FEBRIFUGE.

A new and improved preparation made at the Government Factory from Red Cinchona Bark. This is a more perfect substitute for Quinine than the ordinary uncrystallized Febrifuge. It can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds and upwards* at a time, from the Superintendent, Royal Botanic Garden, Seebpore, near Calcutta, *for cash only*, at the following rates: per four-ounce tin, *R8-8*; per eight-ounce tin, *R12-8*; per pound tin, *R24*. The general public can be supplied by the Superintendent, Royal Botanic Garden, *for cash only*, at the undernoted rates: per four-ounce tin, *R8-8*; per eight-ounce tin, *R16-8*; per pound tin, *R32*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage, four annas per four-ounce tin, eight annas per eight-ounce tin, and twelve annas per pound tin, in addition to the foregoing rates.

کرسٹلین سنکونا دوائی بخار

لال سنکونا باری کی ایک ٹی اور عمدہ دوا گورنمنٹ فیکٹری میں تیار ہوئی ہے معمولی بے صاف کی ہوئی دوائی بخار سے کونین کے لئے یہ بہت خوب قائم مقام ہے اور سیب پور متصل کلکتہ کے ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے ہر ایک ملازم سرکاری کام اور خیرات کے لئے اور وہ لوگ جو ایک صفت بیس پونڈ لین نقد اس دوا سے خرید سکتے ہیں یعنی چار اونس کے تین کا چھ روپیہ آٹھ اونس کے تین کا بارہ روپیہ آٹھ اونس کے ایک پونڈ کے تیس کا بیس روپیہ

اور علم لوگوں کو ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے نقد اس دوا پر مل سکتا ہے یعنی چار اونس کے تین کا آٹھ روپیہ آٹھ اونس کے تین کا سولہ روپیہ آٹھ اونس کے ایک پونڈ کے تیس کا بیس روپیہ یہ دوا کلکتہ کے بڑے بڑے دلائی اور دیسی دواخانوں میں بھی بکتی ہے محصول ذاک چار اونس کے تین کے لئے چار اونس کے ایک پونڈ کے تین کے لئے بارہ اونس علاوہ اوپر لکھے ہوئے نرخ کے ہے

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 4, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

SPECIAL CITATION.

To Robert Alfred Shaw one of the Executors named in the last Will and Testament of George Bartlett Youngs deceased.

Take notice that by an order of this Court bearing date the twenty-third day of May one thousand eight hundred and eighty-five and made "in the Goods of George Bartlett Youngs deceased" you are peremptorily cited to appear before our Justices of our High Court of Judicature at Fort William in Bengal aforesaid at the Court House of the said Court in the Town of Calcutta aforesaid and place of Judicature there within two months from the date hereof between the hours of ten and twelve of the clock in the forenoon of the same day and then and there to show cause if there be any why Letters of Administration to all and singular the unadministered property and credits of the said George Bartlett Youngs deceased should not be granted by our said Court unto the Administrator General of Bengal under pain and contempt of the law and further to do and receive as to Law and Justice shall appertain and what you shall do herein you shall duly certify with these presents to our said Justices. And further take notice that should you not desire so to show cause as aforesaid it will not be necessary for you to appear before the Court. Witness Sir Richard Garth, Knight, Chief Justice of Fort William aforesaid, the twenty-third day of May in the year of Our Lord One thousand eight hundred and eighty-five and in the forty-seventh year of Our Reign.

R. BELCHAMBERS,

Registrar.

IN THE COURT OF THE SUBORDINATE JUDGE AT CUTTACK.

ORIGINAL SUIT No. 16 of 1885.

Notice is hereby given that Hurry Ram, son of Teeluck Chaud, deceased, of Nayasaruk in the Town of Cuttack, has instituted a suit, numbered as above, in this Court against Gunga Saha, Treekha Ram, and Rameswar Das for the recovery of Rs. 358-10 only due on account of cloths, &c., purchased by them; and that 17th July next has been fixed for the final hearing of the suit.

RADHA KRISHNA SEN,
Subordinate Judge.

CUTTACK.
The 19th June 1885.

NOTICE.

In pursuance of Section 42 of Act XXVIII of 1866, notice is hereby given that all persons having claims against the Estate of George Baird, late of Lahore, Merchant and Commission Agent, deceased, who died intestate at Bombay on the 11th day of June 1884, and letters of administration to whose estate and effects were, on the 11th day of August 1884, granted by the Chief Court of the Punjab to me, Sardar Dyal Singh Majithia of Amritsar, at present of Lahore, *Rais* and *Jagirdar*, are hereby required to send in particulars of their claims to, and to prove their claims at, my house and office at Lahore near the Mayo Hospital, on or before the 1st day of August 1885, after which date no claim will be admitted and the assets of the estate will be distributed amongst the parties entitled thereto.

Dated this 4th day of June 1885.

DYAL SINGH MAJITHIA,
Lahore.



The Gazette of India.

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CALCUTTA, SATURDAY, JULY 11, 1885.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE UNDER SECTION XXX OF ACT XIV OF 1882.

Notice is hereby given that Lallbehary Dutt has, with the permission of the High Court of Judicature at Fort William in Bengal under the provisions of Section 30 of Act XIV of One thousand eight hundred and eighty-two on behalf of himself and all others the Creditors of Bhayrodan and Poorunmull, instituted a suit in the said Court in its Original Side against the said Bhayrodan and Poorunmull both of No. 48, Cross Street, Burra Bazar, in the Town of Calcutta, traders, Narmull Lahea, of No. 7, Juggomohun Mullick's Lane in Burra Bazar aforesaid, Merchant, and Dedraj of No. 56, Burtollah Street in Burra Bazar aforesaid, Merchant, for the recovery of the sum of Rupees three thousand three hundred and seventy-five two annas and nine pies, being the amount of composition at the rate of four annas in the Rupee payable on the sum of Rupees Thirteen thousand and five hundred eleven annas and three pies due to the said Lallbehary Dutt with interest, for an account if necessary of all monies belonging to the estate of the said Bhayrodan and Poorunmull came into the hands of the said Narmull Lahea and Dedraj or either of them or to the hands of other persons for their use or which but for their wilful default or neglect would have come into their hands or use and of the payments made by them on account of the estate of the said Bhayrodan and Poorunmull and also of the amounts due to the creditors of the said Bhayrodan and Poorunmull who have signed the composition deed, and if necessary to have provision made out of the assets of the said Bhayrodan and Poorunmull and out of funds to be supplied by the said Narmull Lahea and Dedraj for the payment of the composition respectively payable to the said Creditors of the said Bhayrodan and Poorunmull.

Dated this twenty-fifth day of June one thousand eight hundred and eighty-five.

By order of the Court,

R. BELCHAMBERS,
Registrar.

IN THE COURT OF THE SUBORDINATE JUDGE AT CUTTACK.

ORIGINAL SUIT No. 16 of 1885.

Notice is hereby given that Hurry Ram, son of Teeluck Chand, deceased, of Nayasark in the Town of Cuttack, has instituted a suit, numbered as above, in this Court against Gunga Saha Treekha Ram, and Ramsaran Das for the recovery of Rs. 2,358-10 only due on account of cloths, &c., purchased by them; and that 17th July next has been fixed for the final hearing of the suit.

RADHA KRISHNA SEN,
Subordinate Judge.

CUTTACK.

The 19th June 1885.

NOTICE.

In pursuance of Section 42 of Act XXVIII of 1866, notice is hereby given that all persons having claims against the Estate of George Baird, late of Lahore, Merchant and Commission Agent, deceased, who died intestate at Bombay on the 11th day of June 1884, and letters of administration to whose estate and effects were, on the 11th day of August 1884, granted by the Chief Court of the Punjab to me, Sardar Dyal Singh Majittia of Amritsar, at present of Lahore, *Rais* and *Jagirdar*, are hereby required to send in particulars of their claims to, and to prove their claims at, my house and office at Lahore near the Mayo Hospital, on or before the 1st day of August 1885, after which date no claim will be admitted and the assets of the estate will be distributed amongst the parties entitled thereto.

Dated this the 4th day of June 1885.

DYAL SINGH MAJITTIA,
Lahore.

PROMISSORY NOTES.**Lost**

The Government Promissory Note No. 189247, of the 4 per cent. of 1885, for Rs1,000, originally standing in the name of Girisachandra Bisvas, the proprietor, by whom it was never endorsed to any

other person. Payment of the above note and the interest thereupon has been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

GIRISACHANDRA BISVAS,
Sudder Basar, Meerut.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 18, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 189247, of the 4 per cent. of 1865, for R1,000, originally standing in the name of Girisachandra Bisvas, the proprietor, by whom it was never endorsed to any

other person. Payment of the above note and the interest thereupon has been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

GIRISACHANDRA BISVAS,
Sudder Bazar, Meerut.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA. SATURDAY, JULY 25, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

HINDU FAMILY ANNUITY FUND.

Abstract Statement of the Audited Accounts of the Hindu Family Annuity Fund for the Quarter ended 30th June 1885.

| Receipts. | Amount. | Disbursements. | Amount. |
|--|--------------------|--------------------------------|--------------------|
| | <i>R a. p.</i> | | <i>R a. p.</i> |
| Subscriptions | 6,480 9 6 | Annuity | 733 0 0 |
| Entrance Fees | 21 0 0 | Establishment | 276 7 0 |
| Miscellaneous | 1 2 0 | Miscellaneous | 318 13 6 |
| GOVERNMENT OF INDIA. | | GOVERNMENT OF INDIA. | |
| Amount withdrawn | 1,166 0 0 | Amount deposited | 9,642 14 9 |
| Deposits | 67 0 0 | Deposit Account | 44 9 0 |
| Advances recoverable (now recovered) | 700 0 0 | Furniture | 38 0 0 |
| Interest | 2,300 0 0 | Closing Cash Balance | 344 2 9 |
| Opening Cash Balance | 571 3 6 | | |
| TOTAL R | 11,296 15 0 | TOTAL R | 11,296 15 0 |

Published by order of the Directors agreeably to Rule 75,

NURSING DASS AUDDY,
Secretary.

HINDU FAMILY ANNUITY FUND OFFICE,
CALCUTTA,
The 16th July 1885.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 189247, of the 4 per cent. of 1865, for Rs1,000, originally standing in the name of Girisachandra Biswas, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon has been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

GIRISACHANDRA BISVAS,
Sudder Bazar, Meerut.

Lost

The Government Promissory Notes Nos. 205064 and 135234, of the 4 per cent. of 1865 and 1842-43, for Rs2,000 and Rs1,000 respectively, originally standing in the names of Essur Dass, Benarsee Dass, and Paras Dass, respectively, and last endorsed to Bhujan Lall, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BHUJAN LALL,
Anarkeogalee, Delhi.

Lost

The Government Promissory Note No. 092215, of the 4 per cent. of 1842-43, for Rs500, originally standing in the name of the Bank of Bengal, and last endorsed (by the Executive Engineer, Chakrata Division) to Bhola Nauth, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

BHOLA NAUTH,
Meerut Sudder Basar.

Lost

The Government Promissory Note No. 24077, of the 4 per cent. of 1842-43, for Rs500, originally standing in the name of Nil Comul Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

LUKHY MONEY DASAI,
Bhawanipur.

The 20th July 1885.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 1, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

Abstract Statement of the Uncovenanted Service Family Pension Fund for the Second Quarter ending 31st October 1884, compared with the corresponding quarter of the year 1883.

| PARTICULARS. | For the 2nd quarter ending 31st October 1884. | For the 2nd quarter ending 31st October 1883. | Increase. | Decrease. |
|--|---|---|---------------------|-------------------|
| | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| Balance at credit of the Fund on the Government books at the end of the previous quarter | 87,15,938 3 8 | 82,46,197 3 1 | 4,69,741 0 7 | ..... |
| ADD RECEIPTS— | | | | |
| Subscriptions from August to October in the Widows' Fund | 1,19,916 8 7 | 1,17,342 10 6 | 2,473 14 1 | ..... |
| Ditto ditto Children's Fund | 80,829 3 9 | 78,935 3 9 | 1,894 0 0 | ..... |
| Entrance fees, &c., ditto Charges General | 379 6 0 | 629 8 0 | ..... | 160 2 0 |
| Amount of fines imposed under Rule 40A | 18 8 0 | ..... | 18 8 0 | ..... |
| Amount of interest received from subscribers | 6 8 0 | ..... | 6 8 0 | ..... |
| Amount credited to divisible surplus | 139 8 0 | 91 0 0 | 118 8 0 | ..... |
| Total Receipts | 2,00,989 10 4 | 1,96,828 6 2 | 4,311 6 1 | 160 2 0 |
| Grand Total | 89,16,927 14 0 | 84,43,025 9 4 | 4,74,052 6 8 | 160 2 0 |
| DEDUCT PAYMENTS— | | | | |
| Pensions paid to incumbents in the Widows' Fund | 84,291 1 0 | 81,037 12 1 | 3,253 4 11 | ..... |
| Ditto ditto Children's Fund | 56,740 8 6 | 53,215 14 10 | 1,524 9 8 | ..... |
| Establishment, including office rent and contingencies | 6,922 7 1 | 8,294 9 6 | ..... | 172 2 8 |
| Loss in exchange on remittances to England | 8,270 6 1 | 10,105 0 1 | ..... | 1,834 10 0 |
| Amount debited to divisible surplus | 69 0 0 | ..... | 69 0 0 | ..... |
| Amount of fine written back | 783 7 0 | ..... | 183 7 0 | ..... |
| Total Payments | 1,56,276 13 8 | 1,53,153 4 8 | 5,130 5 7 | 2,006 13 5 |
| Net balance in favour of the Fund exclusive of interest upon capital | 87,60,651 0 4 | 82,89,872 4 10 | 4,69,929 1 1 | 1,856 10 6 |
| Proportion of divisible surplus payable to subscribers | 49,403 0 0 | 45,769 0 0 | 3,644 0 0 | ..... |
| | | | | |
| | Widows' Fund. | Children's Fund. | Widows' Fund. | Children's Fund. |
| Number of subscribers | 1,636 | 1,016 | 1,510 | 999 |
| Ditto of incumbents | 897 | 575 | 847 | 557 |
| Ditto of subscribers sharing divisible surplus | 1,096 | 752 | 1,036 | 691 |

Net increase in balance 4,70,778 11 0

G. W. MACLEOD, Accountant.

H. RONALDSON, }
R. A. FINK, } Auditors.
Published by order of the Directors,
W. H. RYLAND, Secretary,
Uncovenanted Service Family Pension Fund.

FUND OFFICE, the 6th July 1885.

PROMISSORY NOTES.

Lost

The Government Promissory Notes Nos. 205064 and 135234, of the 4 per cent. of 1865 and 1842-43, for R2,000 and R1,000 respectively, originally standing in the names of Essur Dass, Benarsee Dass, and Paras Dass, respectively, and last endorsed to Bhujan Lall, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BHUIAN LALL,
Anarkesgahoe, Delhi.

Lost

The Government Promissory Note No. 092215, of the 4 per cent. of 1842-43, for R500, originally standing in the name of the Bank of Bengal, and last endorsed (by the Executive Engineer, Chak-

rata Division) to Bhola Nauth, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

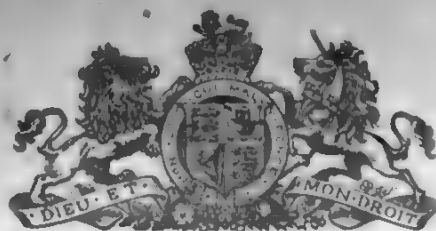
BHOLA NAUTH,
Meerut Sudder Bazar.

Lost

The Government Promissory Note No. 24077, of the 4 per cent. of 1842-43, for R500, originally standing in the name of Nil Comul Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

LUKHY MONEY DASSI,
Bhawanipur.

The 20th July 1885.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 8. 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

RESULT OF VOTES

On the proposal submitted in Circular No. 2, dated
10th April 1885.

| Subject. | Yea. | No. |
|---|-------|-----|
| 1. Whether the proposed Rule 40 F. shall be adopted. | 1,058 | 65 |
| 2. Whether Mr. D. W. Madge shall be appointed a permanent Director. | 1,099 | 23 |

By order of the Directors,

W. H. RYLAND,
Secretary.

PENSION FUND OFFICE;
CALCUTTA,
The 9th June 1885.

NOTICE.

The partnership hitherto existing between myself and Mr. Furdonjee Dinshaw at Durbhanga under the style and firm of Furdonjee & Co., has been dissolved by mutual consent as from the 31st day of July 1885, and the business will be carried on by me on my own account from the 1st of August 1885, under the style of Framjee & Co.

FRAMJEE MUNCHERJEE.

CALCUTTA,
The 4th August 1885.

PROMISSORY NOTES.

Lost

The Government Promissory Notes Nos. 205084 and 135234, of the 4 per cent. of 1865 and 1842-43, for Rs2,000 and Rs1,000 respectively, originally standing in the names of Essur Dass, Benarsee Dass, and Paras Dass, respectively, and last endorsed to Bhujan Lall, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be

made for the issue of duplicates in favour of the proprietor.

BHUJAN LALL,
Anarkeegallee, Delhi.

Lost

The Government Promissory Note No. 092215, of the 4 per cent. of 1842-43, for Rs500, originally standing in the name of the Bank of Bengal, and last endorsed (by the Executive Engineer, Chakrata Division) to Bhola Nauth, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

BHOLA NAUTH,
Meerut Sudder Bazar.

Lost

The Government Promissory Note No. 24077, of the 4 per cent. of 1842-43, for Rs500, originally standing in the name of Nil Comul Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

LUKHY MONEY DASSI,
Bhawanipur.

The 20th July 1885.

Stolen

The Government Promissory Notes, Nos. 038086 and 038067, of the 4 per cent. of 1854-55, for Rs2,000 and 500, respectively, originally standing in the name of Uma Charan Ghosh (and last endorsed to none), the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

UMA CHARAN GHOSH,
Bali, District Howrah.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA. SATURDAY. AUGUST 15. 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, Nos. 096936* for R500, 096938* for R1,000, 097216† for R500, 006250‡ for R100, and 028939§ for R500, each of the 4 per cent. of 1842-43, originally standing in the names of the persons mentioned in the footnote and last endorsed to Cooverji Dinshaw, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

COOVERJI DINSHAW,
Contractor, Camp Mhow.

* Cooverji Dinshawji.
† Cooverji Dinshaw.
‡ Sir Munziddass Nuthooohoy K.C.S.I.
§ The Bank of Bengal.

Stolen

The Government Promissory Notes, Nos. 038066 and 038067, of the 4 per cent. of 1854-55, for R2,000 and 500, respectively, originally standing in the name of Uma Charan Ghosh (and last endorsed to none), the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

UMA CHARAN GHOSH,
Bali, District Howrah.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 22, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, Nos. 096936* for Rs500, 096938* for Rs1,000, 027216† for Rs500, 066250‡ for Rs100, and 028939§ for Rs500, each of the 4 per cent. of 1842-43, originally standing in the names of the persons mentioned in the footnote and last endorsed to Cooverji Dinshaw, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

COOVERJI DINSHAW,
Contractor, Camp Mhow.

* Cooverji Dinshawji.
† Cooverji Dinshaw.
‡ Sir Munguldas Nathoooboy, K.C.S.I.
§ The Bank of Bengal.

Stolen

The Government Promissory Notes, Nos. 038066 and 038067, of the 4 per cent. of 1854-55, for Rs2,000 and 500, respectively, originally standing in the name of Uma Charan Ghosh (and last endorsed to none), the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

UMA CHARAN GHOSH,
Bali, District Howrah.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 29, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, Nos. 096936* for Rs500, 096938* for Rs1,000, 097216† for Rs500, 066250‡ for Rs100, and 028939§ for Rs500, each of the 4 per cent. of 1842-43, origin-

* Cooverji Dinshawji.

† Cooverji Dinshaw.

‡ Sir Munguldas Nathoooboy, K.C.S.I.

§ The Bank of Bengal.

ally standing in the names of the persons mentioned in the footnote and last endorsed to Cooverji Dinshaw, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

COOVERJI DINSHAW,
Contractor, Camp Mhow.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 12, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

MUNICIPALITY OF MADRAS.

DEBENTURE LOAN.

R2,82,000 bearing interest at 6 per cent. per annum.

Under Section 209 of (Madras) Act I of 1884, the Governor in Council of Fort St. George has given sanction, in Government Order, Financial Department, dated 3rd September 1885, No. 455 M., for a Debenture Loan of R2,82,000 on the security of the rates and taxes levied under the said Acts. The Municipal Commissioners are, therefore, prepared to receive tenders for this loan, which will be expended in carrying out the drainage project in Black Town.

2. Debentures will be issued for the said amount, bearing interest at the rate of 6 per cent. per annum, payable half-yearly, on the 15th April and 15th October of each year, and having a currency of thirty years.

3. The form of Debenture Bonds will be that given below. Each Debenture will be issued for the sum of R100, or some multiple of R100.

4. Tenders for the whole or any part of the above-named sum of R2,82,000 will be received by the President of the Municipal Commission up to noon on October 1st, 1885.

5. Each tender should be in the form hereto annexed and enclosed in a sealed cover, superscribed "Tender for Municipal Loan, 1885," and sent to the Municipal Office addressed to "The President, Municipal Commission, Madras."

6. The tenders will be opened by the President at the Municipal Office at noon on the 1st October 1885, a minimum rate, below which no tenders will be accepted, having first been fixed by the President.

7. Parties tendering must pay direct to the President or into the Bank of Madras to the credit of the Municipal Fund a sum equivalent to two per cent. of the amount tendered. If the deposit be paid into the Bank of Madras the Bank's receipt must be forwarded with the tender.

8. If the tender be accepted the deposit will be taken in part payment, but it will be forfeited if, after the acceptance of the tender, the allotment is not fully paid up on or before the 15th October 1885.

9. Debentures will be issued as soon as possible after receipt of the amount of allotment.

10. The deposit on tenders which may not be accepted will be returned on application.

11. In the case of two or more tenders at the same rate (not being below the minimum), a *pro rata* allotment will, if necessary, be made.

12. The rate stated in a tender must not contain any fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out, and the tender treated as if the rate did not contain such fraction of an anna.

13. In order to avoid mistakes, a separate tender must be made at each rate tendered, and a separate deposit must accompany each tender.

14. The annual income from the rates and taxes, which will form the security for the loan, amounts to R7,90,000. Loans which have already been raised on the same security are as follow:—

Annually

| | | |
|--|--------|--|
| Water Works Loan of 1869 | R | |
| R14,30,000, interest at 4 per cent., payable to Government | 57,200 | Repayable in 50 years by a Sinking Fund, at 2 per cent. |
| Market Loan of 1879, R20,000, interest at 6 per cent., payable to debenture holders | 1,200 | Repayable in 30 years by a Sinking Fund, at 2 per cent., with compound interest. |
| Water Works Loan of 1882, R2,50,000, interest at 5 per cent., payable to debenture holders | 12,500 | Do. do. |

| | Annually | |
|---|---------------|--|
| | R | |
| Drainage Loan of 1882, Rs. 1,00,000, interest at 5 per cent., payable to debenture holders | 5,000 | Repayable in 30 years by a Sinking Fund at 2 per cent. with com- pound inter- est. |
| Drainage Loan of 1883, Rs. 3,00,000, interest at 5 per cent., payable to debenture holders | 15,000 | Do. do. |
| Drainage Loan of 1885, Rs. 18,000, interest at 5 per cent., payable to debenture holders | 900 | Do. do. |
| TOTAL | 91,800 | |

G. T. MACKENZIE,
President.

MUNICIPAL OFFICE, MADRAS,
The 3rd September 1885.

FORM OF TENDER.

I hereby tender for Rupees _____ of the loan advertised in the notification of the President of the Madras Municipality, dated 3rd September 1885, and agree to pay the same, subject to the conditions notified, at the rate of Rupees _____ for every Rs. 100 allotted to me. I enclose (a cheque, currency notes, or the bankers' receipt for) Rupees _____, being 2 per cent. on the amount of my tender, and engage, if my offer be accepted, to pay to the account of the Municipal Fund in the Bank of Madras the sum allotted to me on or before the 15th October 1885.

Signature.

Address.

FORM OF DEBENTURE.

MADRAS MUNICIPAL SIX PER CENT.
LOAN OF 1885.

The Municipal Commissioners for the City of
Madras.

No. _____ Madras, the _____ 1885.

By virtue of the City of Madras Municipal Act I of 1884, We, the Municipal Commissioners for the City of Madras, incorporated under the said Act, in consideration of the sum of Rupees _____ paid to us by _____, promise to pay to the said _____ or order, the sum of (_____) thirty years after the date hereof, together with interest on (_____) at the rate of six per centum per annum, payable half-yearly on the 15th day of October and on the 15th day of April.

For the Municipal Commissioners
for the City of Madras.

_____, President.

_____, Commissioner.

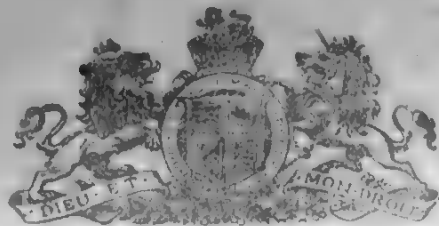
_____, Commissioner.

N.B.—This Debenture is transferable by endorsement, which must be made in the following form:—

I, A. B., of _____, do hereby transfer to C. D., of _____, the Debenture Bond issued by the Municipal Commissioners for the City of Madras to the amount of Rupees _____ and standing in my name, to hold unto the said C. D., his executors, administrators, representatives, or assigns, subject to the conditions on which I hold the same at the time of the execution thereof.

Dated the _____ day of _____

No transfer will be effectual until the endorsement has been registered in the Office of the Commissioners.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 19, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

MUNICIPALITY OF MADRAS.

DEBENTURE LOAN.

Rs2,82,000 bearing interest at 6 per cent. per annum.

Under Section 209 of (Madras) Act I of 1884, the Governor in Council of Fort St. George has given sanction, in Government Order, Financial Department, dated 3rd September 1885, No. 458 M., for a Debenture Loan of Rs2,82,000 on the security of the rates and taxes levied under the said Acts. The Municipal Commissioners are, therefore, prepared to receive tenders for this loan, which will be expended in carrying out the drainage project in Black Town.

2. Debentures will be issued for the said amount, bearing interest at the rate of 6 per cent. per annum, payable half-yearly, on the 15th April and 15th October of each year, and having a currency of thirty years.

3. The form of Debenture Bonds will be that given below. Each Debenture will be issued for the sum of Rs100, or some multiple of Rs100.

4. Tenders for the whole or any part of the above-named sum of Rs2,82,000 will be received by the President of the Municipal Commission up to noon on October 1st, 1885.

5. Each tender should be in the form hereto annexed and enclosed in a sealed cover, superscribed "Tender for Municipal Loan, 1885," and sent to the Municipal Office addressed to "The President, Municipal Commission, Madras."

6. The tenders will be opened by the President at the Municipal Office at noon on the 1st October 1885, a minimum rate, below which no tenders will be accepted, having first been fixed by the President.

7. Parties tendering must pay direct to the President or into the Bank of Madras to the credit of the Municipal Fund a sum equivalent to two per cent. of the amount tendered. If the deposit be paid into the Bank of Madras the Bank's receipt must be forwarded with the tender.

8. If the tender be accepted the deposit will be taken in part payment, but it will be forfeited if, after the acceptance of the tender, the allotment is not fully paid up on or before the 15th October 1885.

9. Debentures will be issued as soon as possible after receipt of the amount of allotment.

10. The deposit on tenders which may not be accepted will be returned on application.

11. In the case of two or more tenders at the same rate (not being below the minimum), a *pro rata* allotment will, if necessary, be made.

12. The rate stated in a tender must not contain any fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out and the tender treated as if the rate did not contain such fraction of an anna.

13. In order to avoid mistakes, a separate tender must be made at each rate tendered, and a separate deposit must accompany each tender.

14. The annual income from the rates and taxes, which will form the security for the loan, amounts to Rs7,90,000. Loans which have already been raised on the same security are as follow:—

| Annually. | | |
|---|--------|--|
| Rs | | |
| Water Works Loan of 1869 | | |
| Rs14,30,000, interest at 4 per cent., payable to Government | 57,200 | Repayable in 50 years by a Sinking Fund, at 2 per cent. |
| Market Loan of 1879, Rs20,000, interest at 6 per cent., payable to debenture holders | 1,200 | Repayable in 30 years by a Sinking Fund, at 2 per cent., with compound interest. |
| Water Works Loan of 1882, Rs2,50,000, interest at 5 per cent., payable to debenture holders | 12,500 | Do. do. |

| | Annually. | |
|---|---------------|--|
| Drainage Loan of 1882, Rs. 1,00,000, interest at 5 per cent., payable to debenture holders | 5,000 | Repayable in 30 years by a Sinking Fund at 2 per cent. with com- pound inter- est. |
| Drainage Loan of 1883, Rs. 3,00,000, interest at 5 per cent., payable to debenture holders | 15,000 | Do. do. |
| Drainage Loan of 1885, Rs. 18,000, interest at 5 per cent., payable to debenture holders | 900 | Do. do. |
| TOTAL | 20,900 | |

G. T. MACKENZIE,
President.

MUNICIPAL OFFICE, MADRAS,
The 3rd September 1885.

FORM OF TENDER.

I hereby tender for Rupees _____ of the loan advertised in the notification of the President of the Madras Municipality, dated 3rd September 1885, and agree to pay the same, subject to the conditions notified, at the rate of Rupees _____ for every Rs. 100 allotted to me. I enclose (a cheque, currency notes, or the bankers' receipt for) Rupees _____ being 2 per cent. on the amount of my tender, and engage, if my offer be accepted, to pay to the account of the Municipal Fund in the Bank of Madras the sum allotted to me on or before the 15th October 1885.

Signature.

Address.

FORM OF DEBENTURE.

MADRAS MUNICIPAL SIX PER CENT.
LOAN OF 1885.

The Municipal Commissioners for the City of
Madras.

No. _____

Madras, the _____ 1885.

By virtue of the City of Madras Municipal Act
1 of 1884, We, the Municipal Commissioners for

the City of Madras, incorporated under the said Act, in consideration of the sum of Rupees _____ paid to us by _____, promise to pay to the said _____ or order, the sum of (_____) thirty years after the date hereof, together with interest on (_____) at the rate of six per centum per annum, payable half-yearly on the 15th day of October and on the 15th day of April.

For the Municipal Commissioners
for the City of Madras.

_____, President.

_____, Commissioner.

_____, Commissioner.

N.B.—This Debenture is transferable by endorsement, which must be made in the following form:—

I, A. B., of _____, do hereby transfer to C. D., of _____, the Debenture Bond issued by the Municipal Commissioners for the City of Madras to the amount of Rupees _____ and standing in my name, to hold unto the said C. D., his executors, administrators, representatives, or assigns, subject to the conditions on which I hold the same at the time of the execution thereof.

Dated the _____ day of _____

No transfer will be effectual until the endorsement has been registered in the Office of the Commissioners.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. C121042, of the 4 per cent. of 1842-43, for Rs. 1,000, originally standing in the name of the Bank of Bombay, and last blank endorsed by C. P. Hard to Hormusjee Sorabjee Mehta, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

HORMUSJEE SORABJEE MEHTA,
No. 39, 1st Dhobi Talav Lane, Bombay.

BOMBAY,

The 12th September 1885.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 26, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

MUNICIPALITY OF MADRAS.

DEBENTURE LOAN.

Rs. 2,82,000 bearing interest at 6 per cent. per annum.

Under Section 209 of (Madras) Act I of 1884, the Governor in Council of Fort St. George has given sanction, in Government Order, Financial Department, dated 3rd September 1885, No. 458 M., for a Debenture Loan of Rs. 2,82,000 on the security of the rates and taxes levied under the said Acts. The Municipal Commissioners are, therefore, prepared to receive tenders for this Loan, which will be expended in carrying out the drainage project in Black Town.

2. Debentures will be issued for the said amount, bearing interest at the rate of 6 per cent. per annum, payable half-yearly, on the 15th April and 15th October of each year, and having a currency of thirty years.

3. The form of Debenture Bonds will be that given below. Each Debenture will be issued for the sum of Rs. 100, or some multiple of Rs. 100.

4. Tenders for the whole or any part of the above-named sum of Rs. 2,82,000 will be received by the President of the Municipal Commission up to noon on October 1st, 1885.

5. Each tender should be in the form hereto annexed and enclosed in a sealed cover, superscribed "Tender for Municipal Loan, 1885," and sent to the Municipal Office addressed to "The President, Municipal Commission, Madras."

6. The tenders will be opened by the President at the Municipal Office at noon on the 1st October 1885, a minimum rate, below which no tenders will be accepted, having first been fixed by the President.

7. Parties tendering must pay direct to the President or into the Bank of Madras to the credit of the Municipal Fund a sum equivalent to two per cent. of the amount tendered. If the deposit be paid into the Bank of Madras the Bank's receipt must be forwarded with the tender.

8. If the tender be accepted the deposit will be taken in part payment, but it will be forfeited if, after the acceptance of the tender, the allotment is not fully paid up on or before the 15th October 1885.

9. Debentures will be issued as soon as possible after receipt of the amount of allotment.

10. The deposit on tenders which may not be accepted will be returned on application.

11. In the case of two or more tenders at the same rate (not being below the minimum), a *pro rata* allotment will, if necessary, be made.

12. The rate stated in a tender must not contain any fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out and the tender treated as if the rate did not contain such fraction of an anna.

13. In order to avoid mistakes, a separate tender must be made at each rate tendered, and a separate deposit must accompany each tender.

14. The annual income from the rates and taxes, which will form the security for the loan, amounts to Rs. 7,90,000. Loans which have already been raised on the same security are as follow:—

| Annually. | | |
|---|--------|--|
| Rs. | | |
| Water Works Loan of 1869 | | |
| Rs. 14,30,000, interest at 4 per cent., payable to Government | 57,200 | Repayable in 50 years by a Sinking Fund, at 2 per cent. |
| Market Loan of 1879, Rs. 20,000, interest at 6 per cent., payable to debenture holders | 1,200 | Repayable in 30 years by a Sinking Fund, at 2 per cent., with compound interest. |
| Water Works Loan of 1882, Rs. 2,50,000, interest at 5 per cent., payable to debenture holders | 12,500 | Do. do. |

| | Annually. R | |
|--|----------------|--|
| Drainage Loan of 1882, R1,00,000, interest at 5 per cent., payable to debenture holders | 5,000 | Repayable in 30 years by a Sinking Fund at 2 per cent. with com- pound inter- est. |
| Drainage Loan of 1883, R3,00,000, interest at 5 per cent., payable to debenture holders | 15,000 | Do. do. |
| Drainage Loan of 1885, R18,000, interest at 5 per cent., payable to debenture holders | 900 | Do. do. |
| Total | 20,900 | |

G. T. MACKENZIE,
President.

MUNICIPAL OFFICE, MADRAS,
The 3rd September 1885.

FORM OF TENDER.

I hereby tender for Rupees _____ of the loan advertised in the notification of the President of the Madras Municipality, dated 3rd September 1885, and agree to pay the same, subject to the conditions notified, at the rate of Rupees _____ for every R100 allotted to me. I enclose (a cheque, currency notes, or the bankers' receipt for) Rupees _____, being 2 per cent. on the amount of my tender, and engage, if my offer be accepted, to pay to the account of the Municipal Fund in the Bank of Madras the sum allotted to me on or before the 15th October 1885.

Signature.

Address.

FORM OF DEBENTURE.

MADRAS MUNICIPAL SIX PER CENT.
LOAN OF 1885.

*The Municipal Commissioners for the City of
Madras.*

No. _____ Madras, the _____ 1885.

By virtue of the City of Madras Municipal Act I of 1884, We, the Municipal Commissioners for the City of Madras, incorporated under the said Act, in consideration of the sum of Rupees _____ paid to us by _____, promise to pay to the said _____, or order, the sum of (_____) thirty years after the date hereof, together with interest on (_____) at the rate of six per centum per

annum, payable half-yearly on the 15th day of October and on the 15th day of April.

For the Municipal Commissioners
for the City of Madras.

_____, *President.*

_____, *Commissioner.*

_____, *Commissioner.*

N.B.—This Debenture is transferable by endorsement, which must be made in the following form:—

I, A. B., of _____, do hereby transfer to C. D., of _____, the Debenture Bond issued by the Municipal Commissioners for the City of Madras to the amount of Rupees _____ and standing in my name, to hold unto the said C. D., his executors, administrators, representatives, or assigns, subject to the conditions on which I hold the same at the time of the execution thereof.

Dated the _____ day of _____

No transfer will be effectual until the endorsement has been registered in the Office of the Commissioners.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. C121042, of the 4 per cent. of 1842-43, for R1,000, originally standing in the name of the Bank of Bombay, and last blank endorsed by C. P. Hard to Hormusjee Sorabjee Mehta, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

HORMUSJEE SORABJEE MEHTA,
No. 39, 1st Dhobi Tulav Lane, Bombay.

BOMBAY,

The 12th September 1885.

Lost

The upper halves of Government Promissory Notes Nos. 020699 and 020700, of the 4 per cent. of 1835-36, for R1,000 each, originally standing in the name of Amir Bahoo Saheba, and last endorsed to Daya Ram, by whom they were never endorsed to any other person, and the second halves whereof in hand have now been endorsed by Daya-ram to the undersigned. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SALIK RAM,
Mohalla Sooneritola, Lucknow.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 8, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

RESULT OF VOTES

On the proposal submitted in Circular No. 2, dated 10th April 1885.

| Subject. | Yes. | No. |
|---|-------|-----|
| 1. Whether the proposed Rule 40 F. shall be adopted. | 1,058 | 55 |
| 2. Whether Mr. D. W. Madge shall be appointed a permanent Director. | 1,095 | 23 |

By order of the Directors,

W. H. RYLAND,
Secretary.

PENSION FUND OFFICE;
CALCUTTA,
The 9th June 1885.

NOTICE.

The partnership hitherto existing between myself and Mr. Furdonjee Dinshaw at Durbhunga under the style and firm of Furdonjee & Co., has been dissolved by mutual consent as from the 31st day of July 1885, and the business will be carried on by me on my own account from the 1st of August 1885, under the style of Framjee & Co.

FRAMJEE MUNCHERJEE.

CALCUTTA,
The 4th August 1885.

PROMISSORY NOTES.

Lost

The Government Promissory Notes Nos. 205064 and 135234, of the 4 per cent. of 1865 and 1842-43, for R2,000 and R1,000 respectively, originally standing in the names of Essur Dass, Benarsee Dass, and Paras Dass, respectively, and last endorsed to Bhujan Lall, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be

made for the issue of duplicates in favour of the proprietor.

BHUJAN LALL,
Anarkeegalee, Delhi.

Lost

The Government Promissory Note No. 092215, of the 4 per cent. of 1842-43, for R500, originally standing in the name of the Bank of Bengal, and last endorsed (by the Executive Engineer, Chakraborty Division) to Bhola Nauth, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

BHOLA NAUTH,
Meerut Sadder Bazar.

Lost

The Government Promissory Note No. 24077, of the 4 per cent. of 1842-43, for R500, originally standing in the name of Nil Comul Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

LUKHY MONEY DASSI,
Bhawanipur.

The 20th July 1885.

Stolen

The Government Promissory Notes, Nos. 038066 and 038067, of the 4 per cent. of 1854-55, for R2,000 and 500, respectively, originally standing in the name of Uma Charan Ghosh (and last endorsed to none), the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

UMA CHARAN GHOSH,
Bali, District Howrah.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 3, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. C121042, of the 4 per cent. of 1842-43, for Rs 1,000, originally standing in the name of the Bank of Bombay, and last blank endorsed by C. P. Hard to Hormusjee Sorabjee Mehta, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

HORMUSJEE SORABJEE MEHTA,
No. 39, 1st Dhobi Tulav Lane, Bombay.

BOMBAY.

The 12th September 1885.

Lost

The upper halves of Government Promissory Notes Nos. 020699 and 020700, of the 4 per cent. of 1835-36, for Rs 1,000 each, originally standing in the name of Amir Bahadur Sahiba, and last endorsed to Daya Ram, by whom they were never

endorsed to any other person, and the second halves whereof in hand have now been endorsed by Daya Ram to the undersigned. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SALIK RAM,

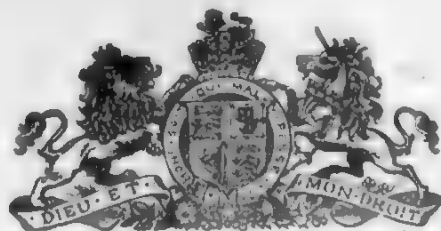
Mohalla Sodhkeritola, Lucknow.

Lost

The Government Promissory Notes, Nos. 059378 and 086033, of the 4 per cent. of 1842-43, for Rs 1,000 and Rs 500, respectively, originally standing in the names of the Oriental Bank Corporation and the Bank of Bengal, and last endorsed to Kanoji Rao, bin Deojee Govind, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

KANOJI RAO, BIN DEOJEE GOVIND,

Major to H. H. Maharajah Holkar's Hoojrat Cavy.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 10, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The upper halves of Government Promissory Notes Nos. 020699 and 020700, of the 4 per cent. of 1885-86, for R1,000 each, originally standing in the name of Amir Bahoo Saheba, and last endorsed to Daya Ram, by whom they were never endorsed to any other person, and the second halves whereof in hand have now been endorsed by Dayaram to the undersigned. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SALIK RAM,
Mohalla Sooneritola, Lucknow.

Lost

The Government Promissory Notes, Nos. 059378 and 086093, of the 4 per cent. of 1842-43, for R1,000 and R500, respectively, originally standing in the names of the Oriental Bank Corporation and the Bank of Bengal, and last endorsed to Kanoji Rao, bin Deojee Govind, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

KANOJI RAO, BIN DEOJEE GOVIND,
Major to H. H. Maharajah Holkar's Hoojrat Cavy.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 17, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, Nos. 059378 and 086093, of the 4 per cent. of 1842-43, for Rs1,000 and Rs500, respectively, originally standing in the names of the Oriental Bank Corporation and the Bank of Bengal, and last endorsed to Kanoji Rao, bin Deojee Govind, the proprietor,

by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

KANOJI RAO, BIN DEOJEE GOVIND,

Major to H. H. Maharajah Holkar's Hoojrat Cavy.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 31, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

IN THE COURT OF THE DISTRICT JUDGE OF AKYAB.

IN THE MATTER OF THE ESTATE OF A. WOODWARD, DECEASED, AND ACT X OF 1865.

Whereas probate to the Will of the above-named deceased has been granted to two of the below named Executors, notice is hereby given that all claims against the said Estate will be received at the address of the undersigned up to the 30th day of November of this current year, after which date no others will be recognized or accepted, and the distribution of the assets and effects pertaining to the said Estate will take place.

All persons who are indebted to the said Estate are solicited to pay their dues to the said Executors thereof.

C. H. WHITE,
G. W. WHITE,

*Executors to the Estate of
the said A. Woodward, deceased.*

AKYAB,
The 20th October 1885.

NOTICE.

Pursuant to Act XXVIII of 1866 of the Legislative Council of India entitled "The Trustees and Mortgagees' Powers Act, 1866," Notice is hereby given that all persons being creditors of or otherwise having any claims upon or against the estate of *Arthur Sullivan*, late of Nari near Sibi on the Afghan Frontier, Contractor, deceased, (who died at Sea on board the Peninsular and Oriental Steam Navigation Company's Steam Ship *Gwalior* on or about the 5th day of July 1885 and Probate of a Notarial Copy of whose Will was on the 1st day of October 1885 granted by the High Court of Judicature at Bombay to Thomas William Grant, an Executive Engineer in the Department of Public Works in the Madras Presidency, one of the Executors named in the said Will, to have effect throughout the whole of British India limited until the original or an authenticated copy of the said Will be produced

and reserving the right of Colonel George Augustus Filmer Sullivan, the other Executor named in the said Will to come in and apply for Probate thereof) are required to send to the undersigned Solicitors for the said Thomas William Grant on his behalf at their Office in Apollo Road within the Fort of Bombay in writing their names and addresses and the particulars of their claims upon or against the estate of the said deceased, so as to reach the said office on or before the 2nd day of December 1885, as after that date the said Thomas William Grant as such Executor will proceed to distribute the assets of the said deceased then in his hands according to the directions in the said Will contained having regard only to the claims of which the said Executor shall then have notice as aforesaid and no claims sent in subsequently will be recognized.

All persons indebted to the said Estate are required to pay the amounts due from them respectively to the said Thomas William Grant as such Executor forthwith.

Dated this 2nd day of October 1885.

HORE, CONROY & BROWN,
Solicitors for the abovesaid Executor.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 090867, of the 4 per cent. of 1842-43, for Rs500, originally standing in the name of the Bank of Bengal, and last endorsed to Aukhoy Kumar Mullick, the deceased proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

NITTO MOYE DASSEE,
of Mothurabally.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 7, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

IN THE COURT OF THE DISTRICT JUDGE OF AKYAB.

IN THE MATTER OF THE ESTATE OF A. WOODWARD, DECEASED, AND ACT X OF 1865.

Whereas probate to the Will of the above-named deceased has been granted to two of the below named Executors, notice is hereby given that all claims against the said Estate will be received at the address of the undersigned up to the 30th day of November of this current year, after which date no others will be recognized or accepted, and the distribution of the assets and effects pertaining to the said Estate will take place.

All persons who are indebted to the said Estate are solicited to pay their dues to the said Executors thereof.

C. H. WHITE,
G. W. WHITE,

*Executors to the Estate of
the said A. Woodward, deceased.*

AKYAB,

The 20th October 1885.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 090867, of the 4 per cent. of 1842-43, for Rs500, originally

standing in the name of the Bank of Bengal, and last endorsed to Aukhoy Kumar Mullick, the deceased proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

NITTO MOYE DASSEE,
of Mothurabatty.

Destroyed

The Government Promissory Note No. 142763, of the 4 per cent. of 1842-43, for Rs1,000, originally standing in the name of the Bank of Bengal, and last endorsed to Bholanauth Banerjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

BHOLANAUTH BANERJEE,
Boinchee.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 14, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

Abstract Statement of the Uncovenanted Service Family Pension Fund for the Third Quarter ending 31st January 1885, compared with the corresponding quarter of the year 1884.

| PARTICULARS. | For the 3rd quarter ending 31st Jan. 1885. | For the 3rd quarter ending 31st Jan. 1884. | Increase. | Decrease. |
|--|--|--|------------------|------------------|
| | Rs. A. P. | Rs. A. P. | Rs. A. P. | Rs. A. P. |
| Balance at credit of the Fund on the Government books at the end of the previous quarter | 67,60,651 0 4 | 62,82,872 4 10 | 4,77,778 11 6 | ..... |
| ADD RECEIPTS— | | | | |
| Subscriptions from November to January in the Widows' Fund | 1,20,261 5 0 | 1,18,047 9 6 | 2,213 11 6 | ..... |
| Ditto ditto Children's Fund | 80,609 13 2 | 78,700 0 4 | 1,909 13 5 | ..... |
| Entrance fees, &c., ditto Charges General | 602 13 9 | 480 12 0 | 142 1 9 | ..... |
| Amount of fines imposed under Rule 40A | 389 12 9 | ..... | 389 12 9 | ..... |
| Amount credited to divisible surplus | 1 12 0 | 337 12 0 | ..... | 335 15 0 |
| Total Receipts | 2,01,955 10 8 | 1,97,445 1 10 | (a)4,745 7 5 | 235 15 0 |
| Grand Total | 69,62,606 10 7 | 64,87,318 5 8 | 4,75,524 2 11 | 235 15 0 |
| DEDUCT PAYMENTS— | | | | |
| Pensions payable to incumbents in the Widows' Fund | 85,945 12 6 | 82,520 2 2 | 3,425 10 2 | ..... |
| Ditto ditto Children's Fund | 58,118 6 1 | 55,387 6 6 | 2,720 15 7 | ..... |
| Establishment, including house rent and contingencies | 9,814 15 5 | 8,398 12 6 | 1,416 2 11 | ..... |
| Loss in exchange on remittances to England | 11,798 5 3 | 9,959 0 5 | 1,834 4 10 | ..... |
| Amount debited to divisible surplus | ..... | 25 8 0 | ..... | 25 8 0 |
| Amount of fine written back | 40 4 8 | ..... | 40 4 8 | ..... |
| Total Payments | 1,66,702 11 11 | 1,56,290 12 8 | (b)9,487 6 3 | 25 8 0 |
| Net balance in favour of the Fund exclusive of interest upon capital | 67,95,903 14 8 | 63,31,027 9 0 | (c)4,64,876 12 8 | 210 7 0 |
| Proportion of divisible surplus payable to subscribers | 49,403 0 0 | 45,769 0 0 | 3,634 0 0 | ..... |
| | | | | |
| | Widows' Fund. | Children's Fund. | Widows' Fund. | Children's Fund. |
| Number of subscribers | 1,686 | 1,012 | 1,514 | 1,003 |
| Ditto of incumbents | 404 | 592 | 321 | 562 |
| Ditto of subscribers sharing abatements | 1,096 | 732 | 1,036 | 691 |

| | | | |
|-------------------------------------|------------------------------|-------------|--|
| (a) Net increase in receipts | Rs. A. P. | 4,809 2 5 | |
| (b) Net increase in payments | 9,411 14 3 | | |
| (c) Net increase in balance | 4,65,878 5 8 | | |
| P. D. CUMMINS, Offg. Accountant. | H. RONALDSON, R. A. FINK, | } Auditors. | |

Published by order of the Directors,
G. W. MACLEOD, Offg. Secretary,
Uncovenanted Service Family Pension Fund.

FUND OFFICE, the 10th October 1885.

IN THE COURT OF THE DISTRICT JUDGE OF AKYAB.

IN THE MATTER OF THE ESTATE OF A. WOODWARD, DECEASED, AND ACT X OF 1865.

Whereas probate to the Will of the above-named deceased has been granted to two of the below named Executors, notice is hereby given that all claims against the said Estate will be received at the address of the undersigned up to the 30th day of November of this current year, after which date no others will be recognized or accepted, and the distribution of the assets and effects pertaining to the said Estate will take place.

All persons who are indebted to the said Estate are solicited to pay their dues to the said Executors thereof.

C. H. WHITE,
G. W. WHITE,

*Executors to the Estate of
the said A. Woodward, deceased.*

AKYAB,

The 20th October 1885.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 890867, of the 4 per cent. of 1842-43, for Rs500, originally

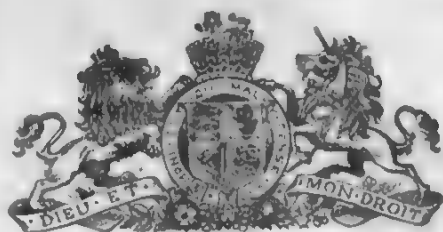
standing in the name of the Bank of Bengal, and last endorsed to Aukhoy Kumar Mullick, the deceased proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

NITTO MOYE DASSEE,
of Mothurabatty.

Destroyed

The Government Promissory Note No. 142763, of the 4 per cent. of 1842-43, for Rs1,000, originally standing in the name of the Bank of Bengal, and last endorsed to Bholanauth Banerjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

BHOLANAUTH BANERJEE,
Boinchesa.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 21. 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Destroyed

The Government Promissory Note No. 142768, of the 4 per cent. of 1842-43, for Rs1,000, originally standing in the name of the Bank of Bengal, and last endorsed to Bholanauth Banerjee, the proprietor, by whom it was never endorsed to any

other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

BHOLANAUTH BANERJEE,

Boinches.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 19, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

HINDU FAMILY ANNUITY FUND.

Abstract Statement of the Audited Accounts of the Hindu Family Annuity Fund for the Quarters ended 30th September and 31st December 1884.

| Receipts. | QUARTER ENDED | | Disbursements. | QUARTER ENDED | |
|-----------------------|----------------------|---------------------|----------------------|----------------------|---------------------|
| | 30th September 1884. | 31st December 1884. | | 30th September 1884. | 31st December 1884. |
| | R a. p. | R a. p. | | R a. p. | R a. p. |
| Subscriptions | 7,119 12 6 | 6,098 13 6 | Annuity | 1,037 12 9 | 763 0 0 |
| Entrance Fees | 37 0 0 | 38 0 0 | Establishment | 362 0 0 | 181 0 0 |
| Miscellaneous | 6 10 0 | 0 8 0 | Miscellaneous | 308 6 8 | 228 12 0 |
| GOVERNMENT OF INDIA. | | | GOVERNMENT OF INDIA. | | |
| Amount withdrawn | 1,757 6 0 | 1,251 0 0 | Amount deposited | 7,104 2 9 | 9,361 2 0 |
| Deposits | 111 0 9 | 80 10 0 | Deposit | 73 4 9 | 105 1 3 |
| Interest | | 3,000 0 0 | Closing Cash Balance | 490 1 6 | 380 1 9 |
| Opening Cash Balance. | 344 2 9 | 490 1 6 | | | |
| TOTAL R | 9,375 10 0 | 10,969 1 0 | TOTAL R | 9,375 10 0 | 10,969 1 0 |

Published by order of the Directors agreeably to Rule 75.

NURSING DASS AUDDY,
Secretary.

R. P. GHOSH,
KRISHNALAL DATTA, M.A.,
Auditors.

HINDU FAMILY ANNUITY FUND OFFICE,
CALCUTTA,
The 18th December 1885.

NOTICE.

IN THE MATTER OF THE INDIAN COMPANIES ACT, 1882, AND OF T. F. BROWN & COMPANY, LIMITED.

By an order made by the High Court of Judicature at Fort William in Bengal in the above matter, dated the 17th day of December 1885, on the petition of the Receiver of the said High Court and Receiver of the Trust Estate of Mutty Loll Seal and other creditors, it was ordered that the abovenamed Company be wound up by the said Court under the provisions of the Indian Companies Act, 1882.

Dated this 18th day of December 1885.

SANDERSON & Co.,
1, Esplanade, West,
Attorneys for the said Petitioners.

NOTICE.

The undersigned hereby notifies that the business hitherto carried on by the late Mr. A. Woodward, as Ship Chandler, Commission Agent, Provisioner, Spirit, Wine and Beer Merchant, at Akyab, in the Province of British Burmah, has been purchased by him, as from the first day of November last past, and that it will be henceforward carried on by him under the style and name of A. Woodward & Co.

G. W. WHITE.

AKYAB,
The 3rd December 1885.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 26, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

GANGES STEAM TUG COMPANY, LIMITED.

Minutes of the Proceedings of an Extraordinary General Meeting of the Shareholders of the above Company held at the Registered Office of the Company, No. 23, Strand Road, Calcutta, on Friday, the 18th December 1885, at noon.

PRESENT :

H. N. Jackariah, Esq.,—Voted to the chair.
Comar Indra Chunder Singh,
Bahadoor,

Pundit Damodar Lall,
Baboo Gocool Chand,
Baboo Madho Dass,
Baboo Mohun Singh,

By their Proxy
Baboo Ram-
kissen.

Baboo Gooroo Prosunno Ghose.—By his Proxy
D. A. Gubbay.

Baboo Ramkissen.

D. A. Gubbay, Esq.

G. Gregory, Esq.

Joseph E. D. Ezra, Esq.

J. A. Kinnison, Esq.

Joseph S. H. Isaac, Esq.

H. S. Howard, Esq.

R. M. Cohen.

The advertisement convening the meeting having been read and the minutes of the last Ordinary and Extraordinary General Meetings, both held on the 30th November 1885, having been taken as read and the former confirmed, the following special resolution which was passed at the Extraordinary General Meeting aforesaid, was brought forward for confirmation :—

Proposed by Joseph H. S. Isaac, Esq.

Seconded by S. H. Howard, Esq.

That the Resolution unanimously passed at the Extraordinary General Meeting held on the 30th November last, viz.—That the Company be wound up voluntarily under the provisions of the Indian Companies Act, 1882,—be and the same is hereby confirmed.

Carried unanimously.

It was then proposed by D. A. Gubbay, Esq.

Seconded by G. Gregory, Esq.

That Mr. Ramkissen be and is hereby appointed Liquidator for the purpose of closing and liquidating the affairs of the Company, with power to appoint such Solicitors, Accountants, Clerks and Servants on such salaries and terms of remuneration as may to him seem meet and requisite for winding up the affairs of the said Company, and that the said Liquidator be allowed commission at 2½ per cent. upon all monies and securities coming to his hands as remuneration in the matter, except the cash balance now standing to the credit of the Company.

Carried unanimously.

With the usual vote of thanks to the chair the meeting terminated.

H. N. JACKARIAH,
Chairman.

NOTICE.

The undersigned hereby notifies that the business hitherto carried on by the late Mr. A. Woodward, as Ship Chandler, Commission Agent, Provisioner, Spirit, Wine and Beer Merchant, at Akyab, in the Province of British Burmah, has been purchased by him, as from the first day of November last past, and that it will be henceforward carried on by him under the style and name of A. Woodward & Co.

G. W. WHITE.

AKYAB,

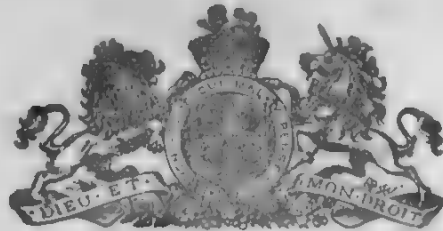
The 3rd December 1885.

PROMISSORY NOTES.**Lost**

The Provincial Debenture Note No. 000256, of the 4 per cent. of North-Western Provinces and Oudh Government, Cawnpore and Farukhabad, for Rs. 1,000, originally standing in the name of Choube Sadhari Lal, by whom it was never

endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

CHOUBE SADHARI LAL,
*Talukdar of Bhowan, Pargana Sheorajpur,
Zila Cawnpore.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 11, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 10th July, 1885, and is hereby promulgated for general information:—

ACT No. XI OF 1885.

An Act to correct an error in the Burma Municipal Act, 1884.

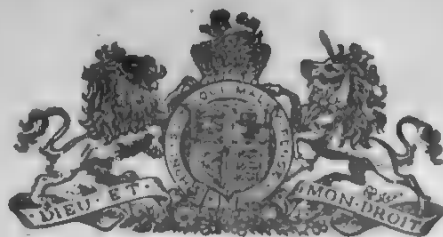
WHEREAS it is expedient to correct an error in the Burma Municipal Act, 1884; It is hereby XVII of 1884 enacted as follows:—

(1) In section 58 of the said Act, for the word "occupation" the word "possession" shall be substituted.

(2) The substitution made by sub-section (1) shall be deemed to have been made from the date on which the said Act came into force.

D. FITZPATRICK,

Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 18, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 10th July, 1885, and is hereby promulgated for general information:—

ACT No. XI OF 1885.

An Act to correct an error in the Burma Municipal Act, 1884.

WHEREAS it is expedient to correct an error in the Burma Municipal Act, 1884; It is hereby XVII of 1884 enacted as follows:—

(1) In section 58 of the said Act, for the word "occupation" the word "possession" shall be substituted.

(2) The substitution made by sub-section (1) shall be deemed to have been made from the date on which the said Act came into force.

D. FITZPATRICK,

Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 25, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 10th July, 1885, and is hereby promulgated for general information:—

ACT No. XI OF 1885.

An Act to correct an error in the Burma Municipal Act, 1884.

WHEREAS it is expedient to correct an error in the Burma Municipal Act, 1884; It is hereby enacted as follows:—

(1) In section 58 of the said Act, for the word "occupation" the word "possession" shall be substituted.

(2) The substitution made by sub-section (1) shall be deemed to have been made from the date on which the said Act came into force.

D. FITZPATRICK,

Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 22nd July, 1885, and is hereby promulgated for general information :—

ACT NO. XII OF 1885.

An Act to amend the law relating to the carriage of passengers by sea.

19 Vic. 29. WHEREAS by section 99 of an Act of the Imperial Parliament called "The Passengers Act, 1855," it is enacted that "it shall be lawful for the Governor-General of India in Council, from time to time, by any Act or Acts to be passed for that purpose, to declare that this Act or any part thereof shall apply to the carriage of passengers upon any voyage, from any ports or places within the territories of British India, to be specified in such Act or Acts, to any other places whatsoever, to be also specified in such Act or Acts;" and it is thereby also enacted that "on the passing of such Indian Act or Acts, and whilst the same shall remain in force, all such parts of this Act as shall be adopted therein shall apply to and extend to the carriage of passengers upon such voyages as in the said Indian Act or Acts shall be specified. The provisions of such Indian Act shall be enforced in all Her Majesty's possessions in like manner as the provisions of this Act may be enforced;"

And whereas certain parts of the said Act of Parliament were by Act II of 1860 (*to amend the law relating to the carriage of passengers by sea*) made applicable to the carriage of passengers upon certain specified voyages;

27 Vic. 19 Vic. And whereas by an Act of the Imperial Parliament called "The Passengers Act Amendment Act, 1863," certain parts of the Passengers Act, 1855, which were so made applicable, have been amended, and it is provided that the said Acts of the Imperial Parliament shall be construed together as one Act;

19 Vic. And whereas it is expedient that the amendments so made in the Passengers Act, 1855, should also be made in the parts of that Act so made applicable, and it is also expedient to apply those parts so amended to the carriage of passengers upon certain voyages not specified in Act II of 1860;

It is hereby enacted as follows :—

Short title and commencement. 1. (1) This Act may be called the Indian Sea Passengers Act, 1885; and

(2) It shall come into force on the first day of October, 1885.

2. On and from the day on which this Act comes into force, Act II of 1860 (*to amend the law relating to the carriage of passengers by sea*) shall be repealed.

3. The provisions contained in sections 4, 5 and 6 of this Act, and the schedule hereto annexed (being parts of the Passengers Act, 1855, as amended by the Passengers Act Amendment Act, 1863), are declared applicable to the carriage of passengers upon the following voyages, namely :—

(a) voyages from the ports of Calcutta, Madras and Bombay to the British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji;

(b) voyages from the ports of Calcutta, Madras and Bombay to the French Colonies of Réunion, Martinique, Guadeloupe and its dependencies, and Guiana;

(c) voyages from the ports of Calcutta, Madras and Bombay to the Netherlands colony of Dutch Guiana;

(d) voyages from the ports of Calcutta, Madras and Bombay to the Danish colony of St. Croix;

(e) voyages under the Native Passenger Ships Act, 1876, from Calcutta, Madras, Bombay, Karachi, Rangoon and other ports in British India to the Straits Settlements, to the protected Native States adjoining the Straits Settlements, to Australia, and to ports in the Red Sea, Gulf of Aden or Persian Gulf and on the East Coast of Africa.

4. If the passengers or cabin-passengers upon any such voyage as is specified in the last preceding section are taken off from the ship carrying them or are picked up at sea from any boat, raft or otherwise, it shall be lawful, if the port or place to which they are conveyed is in any of Her Majesty's colonial possessions, for the Governor of such colony, or for any person authorized by him for the purpose,

18 & 19 Vic. c. 119.
26 & 27 Vic. c. 51.

VIII of 1876.

or, if in any foreign country, for Her Majesty's Consular Officer at such port or place therein, to defray all or any part of the expenses thereby incurred.

5. If any passenger or cabin-passenger of any such passenger-ship as aforesaid, without any neglect or default of his own, finds himself within any colonial or foreign port or place other than that for which the ship was originally bound, or at which he, or the Emigration Agent, or any public officer or other person on his behalf, has contracted that he should land, it shall be lawful for the Governor of the colony, or for any person authorized by him for the purpose, or for Her Majesty's Consular Officer at the foreign port or place, as the case may be, to forward the passenger or cabin-passenger to his intended destination, unless the master of the ship, within forty-eight hours of the arrival of such passenger or cabin-passenger, gives to the Governor or Consular Officer, as the case may be, a written undertaking to forward or carry on within six weeks thereafter the passenger or cabin-passenger to his original destination, and unless the master accordingly forwards or carries him on within that period.

6. (1) All expenses incurred under the last two preceding sections, or either of them, by or by the authority of a Governor or Consular Officer, or other person as therein respectively mentioned, including the cost of maintaining the passengers and cabin-passengers until forwarded to their destination, and of all necessary bedding, provisions and stores, shall become a debt to Her Majesty and Her successors from the owner, charterer and master of the ship, and shall be recoverable from them, or from any one or more of them, at the suit and for the use of Her Majesty, in like manner as in the case of other Crown debts.

(2) A certificate in the form given in the schedule hereto annexed, or as near thereto as the circumstances of the case will admit, purporting to be under the hand of any such Governor or Consular Officer (as the case may be), stating the total amount of the expenses, shall, in any suit or other proceeding for the recovery of the debt, be received in evidence without proof of the handwriting or of the official character of the Governor or Consular Officer, and shall be deemed sufficient evidence of the amount of the expenses, and that the same were duly incurred;

nor shall it be necessary to adduce on behalf of Her Majesty any other evidence in support of the claim, but judgment shall pass for the Crown, with costs of suit, unless the defendant specially pleads and duly proves that the certificate is false or fraudulent, or specially pleads and duly proves any facts showing that the expenses were not duly incurred:

Provided, nevertheless, that in no case shall any larger sum be recovered on account of the expenses than a sum equal to twice the total amount of passage-money received or due to and recoverable by or on account of the owner, charterer or master of the passenger-ship or any of them from passengers and cabin-passengers who may have embarked in the ship; which total amount of passage-money shall be proved by the defendant if he will have the advantage of this limitation of the debt; but if any such passengers are forwarded or conveyed to their intended destination under the provisions of the last preceding section, they shall not be entitled to the return of their passage-money, or to any compensation for loss of passage.

7. No policy of assurance effected in respect of any passages or of any passage or compensation money by any person by this Act made liable in the events aforesaid to provide those passages or to pay that money, or in respect of any other risk under this Act, shall be deemed invalid by reason of the nature of the risk or interest sought to be covered by the policy of assurance.

THE SCHEDULE.

Form of Governor's or Consul's Certificate of Expenditure in the case of Passengers shipwrecked, &c.

(See section 6.)

I hereby certify that acting under, and in conformity with, the provisions of the Indian Sea Passengers Act, 1885, I have defrayed the expenses incurred in rescuing, maintaining, supplying with necessary bedding, provisions and stores (a), and in forwarding to their destination passengers (b), including cabin-passengers (b), who were proceeding from to in the passenger-ship which was wrecked at sea, &c. (c).

And I further certify, for the purposes of the sixth section of the said Indian Sea Passengers Act, 1885, that the total amount of such expenses is , and that such expenses were duly incurred by me under the said Act.

(a) N.B.—1. If more passengers were rescued than forwarded, or if bedding, &c., was not supplied, alter the certificate to suit the facts of the case.

(b) N.B.—2. Omit words in brackets when necessary.

(c) N.B.—3. State generally the nature of the disaster and where it occurred. But if the passengers were only left behind without any default of their own, state the fact accordingly.

Given under my hand this 18 day of

{ Governor of, &c. (or, as the case may be) Her Britannic Majesty's Consul at

D. FITZPATRICK,
Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

The following Report on the Bill to amend the law relating to the carriage of passengers by sea was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 8th July, 1885 :—

We, the undersigned, Members of the Select Committee to which the Bill to amend the

From Officiating Secretary to Chief Commissioner, British Burma, No. 304—5M.S., dated 13th February, 1885 [Paper No. 1].
 From Secretary to Government, Bengal, No. 409, dated 19th February, 1885, and enclosures [Papers No. 2].
 From Chief Secretary to Government, Madras, No. 486J., dated 20th February, 1885, and enclosures [Papers No. 3].
 From Under Secretary to Government, Bombay, No. 753, dated 28th February, 1885, and enclosures [Papers No. 4].
 From Officiating Registrar, High Court, Calcutta, No. 1018, dated 27th March, 1885 [Papers No. 5].

law relating to the carriage of passengers by sea was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. The papers contain several suggestions both by officials and by commercial

bodies which might be well worthy of consideration if the question were one as to the amendment of the English Passengers Acts, but which, having regard to the conditions under which we are now proceeding, it is beyond our power to entertain.

Acting, as we are, under the 99th section of the 18 & 19 Vic., c. 119, which is recited in the preamble to the Bill, we are restricted to applying to the voyages here in question the provisions of the English Passengers Acts as they stand; and if we were to introduce any modifications in the substance of those provisions, we should in all probability fail to secure for our Act the effect referred to at the end of the preamble, namely, that its provisions "shall be enforced in all Her Majesty's possessions in like manner as the provisions" of the English Passengers Acts.

3. Thus, we have no power to adopt the suggestion of the Bengal Chamber of Commerce that we should amend section 5 of the Bill so as to compel a Colonial Governor or Consular Officer to accept an undertaking to forward passengers offered by the owner, charterer or agent of a ship. We may observe, however, that, having regard to the definition of "master" in the Passengers Acts, and to the duties of a master of a wrecked ship, the contingency of there being no master of a wrecked ship, which this amendment was intended to meet, is one likely to be of very rare occurrence.

Moreover, as the Governor or Consular Officer is not compelled to act under the section, but has a discretion in the matter, there can be little doubt that in the case put he would accept the undertaking of the owner-charterer or agent.

4. Similarly, it would be beyond our powers, even if we thought it desirable to do so, to adopt the suggestion of the Madras Chamber that a shipowner should be relieved of the liability imposed by section 6 of the Bill in cases in which the ship is prevented from completing her voyage by the act of God or the Queen's enemies.

It appears to us, however, that the risk involved is one which should be provided against by insurance; and, in order to remove all doubt as to the possibility of so providing against it we have introduced into the Bill a section (7) similar to section 55 of the Passengers Act, 1855, expressly legalizing such insurances.

5. The Government of Bombay draw attention to the want of a provision like section 14 of the Passengers Act Amendment Act, 1863, to meet the case of passengers who may be left in British India owing to their ship being wrecked before she leaves the territorial waters, or who may be brought back to British India owing to their ship being wrecked or disabled after proceeding some short distance on her voyage. We are disposed to agree in thinking some such provision desirable, but the extraordinary powers under which we are now acting are not needed for its enactment, and we think the matter could be more conveniently dealt with in our Native Passengers and Emigration Acts, where we should be free to mould the law as we think fit to suit local requirements.

6. We have, at the suggestion of Brigadier-General Blair, the Political Resident at Aden, amended section 3 (c) so as to extend the Bill to voyages to ports on the East Coast of Africa and in the Gulf of Aden.

7. We have also made such amendments as were necessary to render it clear that the Bill extends, as the English Acts do, to cabin passengers.

8. The publication ordered by the Council has been made as follows :—

In English.

| <i>Gazette.</i> | <i>Date.</i> |
|--------------------------------------|--|
| <i>Gazette of India</i> ... | 20th and 27th December, 1884, and 3rd January, 1885. |
| <i>Fort St. George Gazette</i> ... | 13th January, 1885. |
| <i>Bombay Government Gazette</i> ... | 25th December, 1884, and 1st and 8th January, 1885. |
| <i>Calcutta Gazette</i> ... | 24th and 31st December, 1884, and 7th January, 1885. |
| <i>British Burma Gazette</i> ... | 10th, 17th and 24th January, 1885. |

| <i>In the Vernaculars.</i> | | |
|----------------------------|------------------|--|
| <i>Province.</i> | <i>Language.</i> | <i>Date.</i> |
| Bombay ... | Maráthi | ... } 12th February, 1885. |
| | Gujaráthi | |
| | Kanarese | |
| Bengal ... | Bengali | ... } 20th and 27th January, and 3rd February, 1885. |
| | Hindi | |
| | Uriya | |
| British Burma ... | Uriya | ... } 20th January, and 5th and 12th February, 1885. |
| | Burmese | |
| | | ... 7th, 14th and 21st February, 1885. |

We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.

S. C. BAYLEY.

The 8th July, 1885.

D. FITZPATRICK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 22nd July, 1885, and is hereby promulgated for general information :—

ACT No. XIII of 1885.

THE INDIAN TELEGRAPH ACT,
1885.

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2. Repeal and savings.
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SECTIONS.

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*The Indian Telegraph Act, 1885.**(Part I.—Preliminary.—Sections 1-3.)**(Part II.—Privileges and Powers of the Government.—Sections 4-7.)**An Act to amend the law relating to Telegraphs in India.*

WHEREAS it is expedient to amend the law relating to telegraphs in India; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be called the Indian Telegraph Act, 1885.
Short title, local extent and commencement.

(2) It extends to the whole of British India, and, so far as regards subjects of Her Majesty, to the dominions of Princes and States in India in alliance with Her Majesty; and

(3) It shall come into force on the first day of October, 1885.

Repeal and savings.

2. The Indian Telegraph Act, 1876, is hereby repealed.

1 of 1876.

But all licenses granted and rules made under that Act or any Act thereby repealed, and now in force, shall, so far as they could be granted or made under this Act, be deemed to have been respectively granted and made hereunder.

3. In this Act, unless there is something repugnant in the subject or context,—
Definitions.

(1) "Telegraph" means an electric, galvanic or magnetic telegraph, and includes appliances and apparatus for transmitting or making telegraphic, telephonic or other communications by means of electricity, galvanism or magnetism:

(2) "Telegraph officer" means any person employed either permanently or temporarily in connection with a telegraph established, maintained or worked by the Government or by a person licensed under this Act:

(3) "Message" means any communication sent by telegraph, or given to a telegraph officer to be sent by telegraph or to be delivered:

(4) "Telegraph line" means a wire or wires used for the purpose of a telegraph, with any casing, coating, tube or pipe enclosing the same, and any appliances and apparatus connected therewith for the purpose of fixing or insulating the same:

(5) "Post" means a post, pole, standard, stay, strut or other above-ground contrivance for carrying, suspending or supporting a telegraph line:

(6) "Telegraph authority" means the Director General of Telegraphs, and includes any officer empowered by him to perform all or any of the functions of the telegraph authority under this Act:

(7) "Local authority" means any municipal committee, district board, body of port commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of any municipal or local fund.

PART II.

PRIVILEGES AND POWERS OF THE GOVERNMENT.

4. Within British India, the Governor-General in Council shall have the exclusive privilege of establishing, maintaining and working telegraphs:
Exclusive privilege in respect of telegraphs, and power to grant licences.

Provided that the Governor-General in Council may grant a license, on such conditions and in consideration of such payments as he thinks fit, to any person to establish, maintain or work a telegraph within any part of British India.

5. (1) On the occurrence of any public emergency, or in the interest of the public safety, the Governor-General in Council or a Local Government, or any officer specially authorised in this behalf by the Governor-General in Council, may—
Power for Government to take possession of licensed telegraphs and to order interception of messages.

(a) take temporary possession of any telegraph established, maintained or worked by any person licensed under this Act; or

(b) order that any message or class of messages to or from any person or class of persons, or relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government or an officer thereof mentioned in the clause.

(2) If any doubt arises as to the existence of a public emergency, or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government of India or to the Local Government shall be conclusive proof on the point.

6. Any Railway Company, on being required so to do by the Governor-General in Council, shall permit the Government to establish and maintain a telegraph upon any part of the land of the Company, and shall give every reasonable facility for working the same.
Power to establish telegraph on land of Railway Company.

7. (1) The Governor-General in Council may, from time to time, by notification in the *Gazette of India*, make rules consistent with this Act for the conduct of all or any telegraphs established, maintained or worked by the Government or by persons licensed under this Act.
Power to make rules for the conduct of telegraphs.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say:—

(a) the rates at which, and the other conditions and restrictions subject to which, messages shall be transmitted;

(b) the precautions to be taken for preventing the improper interception or disclosure of messages;

(c) the period for which, and the conditions subject to which, telegrams and other documents belonging to, or being in the custody of, telegraph officers shall be preserved; and

The Indian Telegraph Act, 1885.

(Part II.—Privileges and Powers of the Government.—Sections 8-9.)
(Part III.—Power to place Telegraph Lines and Posts.—Sections 10-15.)

(d) the fees to be charged for searching for telegrams or other documents in the custody of any telegraph officer.

(3) When making rules for the conduct of any telegraph established, maintained or worked by any person licensed under this Act, the Governor-General in Council may by the rules prescribe fines for any breach of the same:

Provided that the fines so prescribed shall not exceed the following limits, namely:—

(i) when the person licensed under this Act is punishable for the breach, one thousand rupees, and in the case of a continuing breach a further fine of two hundred rupees for every day after the first during the whole or any part of which the breach continues;

(ii) when a servant of the person so licensed, or any other person, is punishable for the breach, one-fourth of the amounts specified in clause (i).

8. The Governor-General in Council may, at any time, revoke any license granted under section 4, on the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

9. The Secretary of State for India in Council shall not be responsible for any loss or damage which may occur in consequence of any telegraph officer failing in his duty with respect to the receipt, transmission or delivery of any message; and no such officer shall be responsible for any such loss or damage, unless he causes the same negligently, maliciously or fraudulently.

PART III.

POWER TO PLACE TELEGRAPH LINES AND POSTS.

10. The telegraph authority may, from time to time, place and maintain a telegraph line under, over, along or across, and posts in or upon, any immoveable property:

Provided that—

(a) the telegraph authority shall not exercise the powers conferred by this section except for the purposes of a telegraph established or maintained by the Government, or to be so established or maintained;

(b) the Government shall not acquire any right other than that of user only in the property under, over, along, across, in or upon which the telegraph authority places any telegraph line or post; and

(c) except as hereinafter provided, the telegraph authority shall not exercise those powers in respect of any property vested in or under the control or management of any local authority, without the permission of that authority; and

(d) in the exercise of the powers conferred by this section, the telegraph authority shall do as little damage as possible, and, when it has exercised those powers in respect of any property other than that referred to in clause (c), shall pay full compensation to all persons interested for

any damage sustained by them by reason of the exercise of those powers.

11. The telegraph authority may, at any time, for the purpose of examining, repairing, altering or removing any telegraph line or post, enter on the property under, over, along, across, in or upon which the line or post has been placed.

Provisions applicable to Property vested in or under the Control or Management of Local Authorities.

12. Any permission given by a local authority under section 10, clause (c), may be given subject to such reasonable conditions as that authority thinks fit to impose, as to the payment of any expenses to which the authority will necessarily be put in consequence of the exercise of the powers conferred by that section, or as to the time or mode of execution of any work, or as to any other thing connected with or relative to any work undertaken by the telegraph authority under those powers.

13. When, under the foregoing provisions of this Act, a telegraph line or post has been placed by the telegraph authority under, over, along, across, in or upon any property vested in or under the control or management of a local authority, and the local authority, having regard to circumstances which have arisen since the telegraph line or post was so placed, considers it expedient that it should be removed or that its position should be altered, the local authority may require the telegraph authority to remove it or alter its position, as the case may be.

14. The telegraph authority may, for the purpose of exercising the powers conferred upon it by this Act in respect of any property vested in or under the control or management of a local authority, alter the position thereunder of any pipe (not being a main) for the supply of gas or water, or of any drain (not being a main drain):

Provided that—

(a) when the telegraph authority desires to alter the position of any such pipe or drain it shall give reasonable notice of its intention to do so, specifying the time at which it will begin to do so, to the local authority, and, when the pipe or drain is not under the control of the local authority, to the person under whose control the pipe or drain is;

(b) a local authority or person receiving notice under clause (a) may send a person to superintend the work, and the telegraph authority shall execute the work to the reasonable satisfaction of the person so sent.

15. (1) If any dispute arises between the telegraph authority and a local authority in consequence of the local authority refusing the permission referred to in section 10, clause (c), or prescribing any condition under section 12, or in consequence of the telegraph authority

The Indian Telegraph Act, 1885.

(Part III.—Power to place Telegraph Lines and Posts.—Sections 16-19.)
(Part IV.—Penalties.—Sections 20-21.)

omitting to comply with a requisition made under section 13, or otherwise in respect of the exercise of the powers conferred by this Act, it shall be determined by such officer as the Local Government may appoint either generally or specially in this behalf.

(2) An appeal from the determination of the officer so appointed shall lie to the Local Government; and the order of the Local Government shall be final.

Provisions applicable to other Property.

16. (1) If the exercise of the powers mentioned in section 10 in respect of property referred to in clause (d) of that section is resisted or obstructed, the District Magistrate may, in his discretion, order that the telegraph authority shall be permitted to exercise them.

Exercise of powers conferred by section 10, and disputes as to compensation, in case of property other than that of a local authority.

(2) If, after the making of an order under sub-section (1), any person resists the exercise of those powers, or, having control over the property, does not give all facilities for their being exercised, he shall be deemed to have committed an offence under section 185 of the Indian Penal Code.

XLV of 1860. Code.

(3) If any dispute arises concerning the sufficiency of the compensation to be paid under section 10, clause (d), it shall, on application for that purpose by either of the disputing parties to the District Judge within whose jurisdiction the property is situate, be determined by him.

(4) If any dispute arises as to the persons entitled to receive compensation, or as to the proportions in which the persons interested are entitled to share in it, the telegraph authority may pay into the Court of the District Judge such amount as he deems sufficient or, where all the disputing parties have in writing admitted the amount tendered to be sufficient or the amount has been determined under sub-section (3), that amount; and the District Judge, after giving notice to the parties and hearing such of them as desire to be heard, shall determine the persons entitled to receive the compensation or, as the case may be, the proportions in which the persons interested are entitled to share in it.

(5) Every determination of a dispute by a District Judge under sub-section (3) or sub-section (4) shall be final:

Provided that nothing in this sub-section shall affect the right of any person to recover by suit the whole or any part of any compensation paid by the telegraph authority, from the person who has received the same.

17. (1) When, under the foregoing provisions of this Act, a telegraph line or post has been placed by the telegraph authority under, over, along, across, in or upon any property, not being property vested in or under the control or management of a local authority, and any person entitled to do so desires to deal with that property in such a manner as to render it necessary or convenient that the telegraph line or post should be removed to another part thereof or to a higher or lower level or altered in form, he may require the telegraph authority to remove or alter the line or post accordingly:

Removal or alteration of telegraph line or post on property other than that of a local authority.

Provided that, if compensation has been paid under section 10, clause (d), he shall, when making the requisition, tender to the telegraph authority the amount requisite to defray the expense of the removal or alteration, or half of the amount paid as compensation, whichever may be the smaller sum.

(2) If the telegraph authority omits to comply with the requisition, the person making it may apply to the District Magistrate within whose jurisdiction the property is situate to order the removal or alteration.

(3) A District Magistrate receiving an application under sub-section (2) may, in his discretion, reject the same or make an order, absolutely or subject to conditions, for the removal of the telegraph line or post to any other part of the property or to a higher or lower level or for the alteration of its form; and the order so made shall be final.

Provisions applicable to all Property.

18. (1) If any tree standing or lying near a telegraph line interrupts, or is likely to interrupt, telegraphic communication, a Magistrate of the first or second class may, on the application of the telegraph authority, cause the tree to be removed or dealt with in such other way as he deems fit.

(2) When disposing of an application under sub-section (1), the Magistrate shall, in the case of any tree in existence before the telegraph line was placed, award to the persons interested in the tree such compensation as he thinks reasonable, and the award shall be final.

19. Every telegraph line or post placed before the passing of this Act under, over, along, across, in or upon any property, for the purposes of a telegraph established or maintained by the Government, shall be deemed to have been placed in exercise of the powers conferred by, and after observance of all the requirements of, this Act.

PART IV.

PENALTIES.

20. If any person establishes, maintains or works a telegraph within British India, otherwise than as permitted by a license granted under section 4, or breaks any condition contained in such a license, he shall be punished with fine which may extend to one thousand rupees, and with a further fine which may extend to five hundred rupees for every week during which the line is maintained or worked or the breach of the condition continues.

21. If any person, knowing or having reason to believe that a telegraph has been established or is maintained or worked in contravention of this Act, transmits or receives any message by such telegraph, or performs any service incidental thereto, or delivers any message for transmission by such telegraph or accepts delivery of any message sent thereby, he shall be punished with fine which may extend to fifty rupees.

Using such telegraphs.

*The Indian Telegraph Act, 1885.**(Part IV.—Penalties.—Sections 22-32.)**(Part V.—Supplemental Provision.—Section 33.)*

22. If a Railway Company, or an officer of a Railway Company, neglects or refuses to comply with the provisions of section 6, it or he shall be punished with fine which may extend to one thousand rupees for every day during which the neglect or refusal continues.

Intrusion into signal-room, trespass in telegraph office or obstruction.

23. If any person—

- (a) without permission of competent authority, enters the signal-room of a telegraph office of the Government, or of a person licensed under this Act, or
 - (b) enters a fenced enclosure round such a telegraph office in contravention of any rule or notice not to do so, or
 - (c) refuses to quit such room or enclosure on being requested to do so by any officer or servant employed therein, or
 - (d) wilfully obstructs or impedes any such officer or servant in the performance of his duty,
- he shall be punished with fine which may extend to five hundred rupees.

24. If any person does any of the acts mentioned in section 23 with the intention of unlawfully learning the contents of any message, or of committing any offence punishable under this Act, he may (in addition to the fine with which he is punishable under section 23) be punished with imprisonment for a term which may extend to one year.

Intentionally damaging or tampering with telegraphs.

25. If any person, intending—

- (a) to prevent or obstruct the transmission or delivery of any message, or
 - (b) to intercept or to acquaint himself with the contents of any message, or
 - (c) to commit mischief,
- damages, removes, tampers with or touches any battery, machinery, telegraph line, post or other thing whatever, being part of or used in or about any telegraph or in the working thereof,
- he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

26. If any telegraph officer, or any person, not being a telegraph officer but having official duties connected with any office which is used as a telegraph office,—

- (a) wilfully secretes, makes away with or alters any message which he has received for transmission or delivery, or
- (b) wilfully, and otherwise than in obedience to an order of the Governor General in Council or of a Local Government, or of an officer specially authorised by the Governor General in Council to make the order, omits to transmit, or intercepts or detains, any message or any part thereof, or otherwise than in pursuance of his official duty or in obedience to the direction of a competent Court, discloses the con-

tents or any part of the contents of any message, to any person not entitled to receive the same, or

- (c) divulges the purport of any telegraphic signal to any person not entitled to become acquainted with the same,

he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

27. If any telegraph officer transmits by telegraph any message on which the charge prescribed by the Government, or by a person licensed under this Act, as the case may be, has not been paid, intending thereby to defraud the Government or that person, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

28. If any telegraph officer, or any person not being a telegraph officer but having official duties connected with any office which is used as a telegraph office, is guilty of any act of drunkenness, carelessness or other misconduct whereby the correct transmission or the delivery of any message is impeded or delayed, or if any telegraph officer loiters or delays in the transmission or delivery of any message, he shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both.

29. If any person transmits or causes to be transmitted by telegraph a message which he knows to be false or fabricated, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

30. If any person fraudulently retains, or wilfully secretes, makes away with or detains a message which ought to have been delivered to some other person, or, being required by a telegraph officer to deliver up any such message, neglects or refuses to do so, he shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

31. A telegraph officer shall be deemed a public servant within the meaning of sections 161, 162, 163, 164 and 165 of the Indian Penal Code; and in the definition of "legal remuneration" contained in the said section 161, the word "Government" shall, for the purposes of this Act, be deemed to include a person licensed under this Act.

32. Whoever attempts to commit any offence punishable under this Act shall be punished with the punishment herein provided for the offence.

PART V.

SUPPLEMENTAL PROVISION.

33. (1) Whenever it appears to the Local Government that any act causing or likely to cause wrongful damage to any telegraph is repeatedly and maliciously committed in

Power to employ additional police in places where mischief to telegraphs is repeatedly committed.

The Indian Telegraph Act, 1885.

any place, and that the employment of an additional police-force in that place is thereby rendered necessary, the Local Government may send such additional police-force as it thinks fit to the place, and employ the same therein so long as, in the opinion of that Government, the necessity of doing so continues.

(2) The inhabitants of the place shall be charged with the cost of the additional police-force, and the District Magistrate shall, subject to the orders of the Local Government, assess the proportion in which the cost shall be paid by the inhabitants according to his judgment of their respective means.

(3) All moneys payable under sub-section (2) shall be recoverable either under the warrant of a Magistrate by distress and sale of the moveable property of the defaulter within the local limits of his jurisdiction, or by suit in any competent Court.

(4) The Local Government may, by order in writing, define the limits of any place for the purposes of this section.

D. FITZPATRICK,

Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

The following Report on the Bill to facilitate the construction of Telegraphs, and to amend the Indian Telegraph Act, 1876, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 8th July, 1885:—

We, the undersigned, Members of the Select Committee to which the Bill to facilitate the

- construction of Telegraphs, and to amend the Indian Telegraph Act, 1876, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.
2. We are of opinion that it would be for the convenience of the Telegraph Department and the public that Act I of 1876 should be repealed and re-enacted with most of the modifications and additions proposed by the Bill as introduced. We have accordingly re-drawn the Bill as a consolidating measure.
3. Objection having been taken to licensees being entrusted with the powers with which it was proposed to invest them as telegraph authorities, we have defined "telegraph authority" to mean the Government Telegraph Department (section 3, clause (6)), and provided that that authority shall not exercise the power of placing telegraph lines and posts except for the purposes of a telegraph established or maintained by the Government or to be so established or maintained (section 10).
4. We have also amended the definition of "local authority" so as to make that expression include a cantonment authority and clearly exclude any commercial association however incorporated (section 3, clause (7)).
5. In declaring, in section 4, the exclusive privilege of the Government to extend to establishing, maintaining and working telegraphs, and in empowering the Government to grant licenses to establish, maintain or work telegraphs, we formulate what is, and has always been understood to be, the existing law, and at the same time avoid the necessity of using the words "lease" and "lessee" which were introduced into the Bill of last year (section 13). A lease is a license to work a line established and maintained by the Government, and a lessee is the holder of such a license.
6. By section 7, sub-section (2), clause (b), we propose to give the Government the power of requiring licensees to provide for the seclusion of telegraph instruments at all offices open for the receipt of public messages. Clauses (c) and (d) of the same sub-section have been suggested to us by correspondence that has been placed at our disposal by the Public Works Department of the Government of India, respecting applications from time to time made by private persons to the Telegraph Department for the preservation of telegrams.
7. Most of the objections that were taken to the Bill as introduced, chiefly by commercial bodies in Calcutta, will, it is believed, have been met by our proposal that the power of

From Officiating Registrar, High Court, Calcutta, No. 2609, dated 15th September, 1884 [Paper No. 1].

From Secretary to Chief Commissioner, Coorg, No. 607—111, dated 13th September, 1884 [Paper No. 2].

From Officiating Secretary to Chief Commissioner, British Burma, No. 771-181., dated 20th September, 1884, and enclosures [Papers No. 3].

From Officiating Secretary to Chief Commissioner, Assam, No. 1536, dated 27th September, 1884, and enclosures [Papers No. 4].

From Chief Commissioner, Ajmer-Merwara, No. 842, dated 3rd October, 1884 [Paper No. 5].

From Officiating Secretary to Government, North-Western Provinces and Oudh, No. 1057—VII-276-24, dated 7th October, 1884, and enclosures [Papers No. 6].

From Secretary for Berar to Resident, Hyderabad, No. 350G., dated 9th October, 1884 [Paper No. 7].

From Chief Secretary to Government, Madras, No. 2541, dated 6th October, 1884, and enclosures [Papers No. 8].

From Officiating Secretary to Government, Punjab, No. 911, dated 23rd October, 1884, and enclosures [Papers No. 9].

From Assistant Secretary to Chief Commissioner, Central Provinces, No. 5193—240, dated 5th November, 1884 [Paper No. 10].

From Under-Secretary to Government, Bombay, No. 7782, dated 7th November, 1884, and enclosures [Papers No. 11].

From Secretary to Government, Bengal, No. 1461T.—B., dated 23rd October, 1884, and enclosures [Papers No. 12].

Extract, paragraph III, from Proceedings of the Meerut Association, No. 13, dated 16th November, 1884 [Paper No. 13].

Telegram from Secretary to Government, North-Western Provinces and Oudh, dated 13th December, 1884 [Paper No. 14].

placing telegraph lines and posts shall only be exercised by the Government Telegraph Department for the purposes of telegraphs established or maintained by the Government.

8. In section 11 we have, following a recent English Act, proposed to empower the telegraph authority to enter at any time on property for the purpose of examining, repairing, altering or removing any telegraph line or post that has been placed on it.

9. In section 14 we have adhered to the provisions of the English Act (26 & 27 Vic., c. 112, sections 6 and 8), though in practice the officers of the Telegraph Department will doubtless arrange for the alteration of the position of any pipe or drain being carried out by the authority having control of it.

10. In section 15 we have provided, on the suggestion of the Government of Bombay, that disputes between the telegraph authority and local authorities shall be determined by a local officer whose decision will be subject to appeal to the Local Government.

11. In section 16, sub-sections (1) and (2), we have provided for recourse being had by the telegraph authority to the District Magistrate where the exercise of the powers conferred on that authority is resisted. We have also provided in this section, sub-section (4), in accordance with the suggestion of the Government of Bombay, that the telegraph authority may pay compensation into Court where any dispute arises as to the persons entitled to receive it.

12. We have met the objections that were taken to section 10 of the Bill as introduced by providing in section 17 of the present Bill that a person desiring the removal or the alteration of the position of a telegraph line or post shall tender the cost of the removal or alteration in those cases only in which compensation has been paid by the telegraph authority, and that in those cases he shall not be required to tender more than half the sum that was paid to him as compensation.

13. By section 18 we have proposed to provide for the removal by order of a Magistrate of trees interrupting or likely to interrupt telegraphic communication. A somewhat similar provision in the case of trees dangerous to railways is contained in the Regulation of Railways Act, 1868 (31 & 32 Vic., c. 119, section 24).

14. By section 26 we propose to subject a person who is not a telegraph officer, but has official duties connected with an office which is used as a telegraph office, to the same penalty as that to which a telegraph officer is liable for secreting or altering telegrams or unlawfully intercepting or disclosing them. Many post offices in India are now used as telegraph offices, and we consider that postal officials should be restrained by penalty, as they are under the English Telegraph Act of 1868, from abusing such opportunities as they may have of becoming acquainted with the contents of telegraphic messages.

15. The publication ordered by the Council has been made as follows:—

In English.

| <i>Gazette.</i> | <i>Date.</i> |
|---|--|
| <i>Gazette of India</i> | 23rd and 30th August, and 6th September, 1884. |
| <i>Fort Saint George Gazette</i> | 9th September, 1884. |
| <i>Bombay Government Gazette</i> | 28th August, and 4th and 11th September, 1884. |
| <i>Calcutta Gazette</i> | 3rd, 10th and 17th September, 1884. |
| <i>North-Western Provinces and Oudh Government Gazette</i> | 30th August, and 6th and 13th September, 1884. |
| <i>Punjab Government Gazette</i> | 4th, 11th and 18th September, 1884. |
| <i>Central Provinces Gazette</i> | 30th August, and 6th and 13th September, 1884. |
| <i>British Burma Gazette</i> | 13th, 20th and 27th September, 1884. |
| <i>Assam Gazette</i> | 13th September, 1884. |

In the Vernaculars.

| <i>Province.</i> | <i>Language.</i> | <i>Date.</i> |
|---|------------------|---|
| Madras | Tamil | 18th November, 1884. |
| Bombay | Gujarathi | 13th November, 1884. |
| ... .. | Kanarese | 13th November, 1884. |
| Bengal | Bengali | 4th November, 1884. |
| ... .. | Hindi | 4th November, 1884. |
| ... .. | Uriya | 13th November, 1884. |
| North-Western Provinces and Oudh | Urdu | 13th December, 1884, and 24th and 31st January, 1885. |
| Punjab | Urdu | 22nd and 29th September, and 6th October, 1884. |
| Burma | Burmese | 27th September, and 4th and 11th October, 1884. |

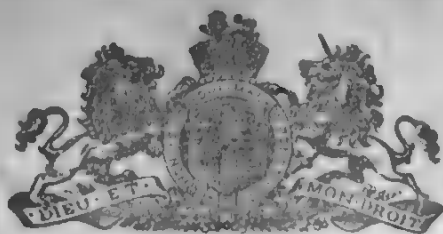
We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

T. C. HOPE.

C. P. ILBERT.

The 8th July, 1885.

D. FITZPATRICK,
Secy. to the Govt. of India.
4 d



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, AUGUST 1, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 22nd July, 1885, and is hereby promulgated for general information :—

ACT NO. XII OF 1885.

An Act to amend the law relating to the carriage of passengers by sea.

WHEREAS by section 99 of an Act of the Imperial Parliament called "The Passengers Act, 1855," it is enacted that "it shall be lawful for the Governor-General of India in Council, from time to time, by any Act or Acts to be passed for that purpose, to declare that this Act or any part thereof shall apply to the carriage of passengers upon any voyage, from any ports or places within the territories of British India, to be specified in such Act or Acts, to any other places whatsoever, to be also specified in such Act or Acts;" and it is thereby also enacted that "on the passing of such Indian Act or Acts, and whilst the same shall remain in force, all such parts of this Act as shall be adopted therein shall apply to and extend to the carriage of passengers upon such voyages as in the said Indian Act or Acts shall be specified. The provisions of such Indian Act shall be enforced in all Her Majesty's possessions in like manner as the provisions of this Act may be enforced;"

And whereas certain parts of the said Act of Parliament were by Act II of 1860 (*to amend the law relating to the carriage of passengers by sea*) made applicable to the carriage of passengers upon certain specified voyages;

And whereas by an Act of the Imperial Parliament called "The Passengers Act Amendment Act, 1863," certain parts of the Passengers Act, 1855, which were so made applicable, have been amended, and it is provided that the said Acts of the Imperial Parliament shall be construed together as one Act;

And whereas it is expedient that the amendments so made in the Passengers Act, 1855, should also be made in the parts of that Act so

made applicable, and it is also expedient to apply the said Act so amended to the carriage of passengers upon certain voyages not specified in Act

It is hereby enacted as follows :—

Short title and commencement. (1) This Act may be called the Indian Sea Passengers Act, 1885; and

(2) It shall come into force on the first day of October, 1885.

2. On and from the day on which this Act comes into force, Act II of 1860 (*to amend the law relating to the carriage of passengers by sea*) shall be repealed.

3. The provisions contained in sections 4, 5 and 6 of this Act, and the schedule hereto annexed (being parts of the Passengers Act, 1855, as amended by the Passengers Act Amendment Act, 1863), are declared applicable to the carriage of passengers upon the following voyages, namely :—

(a) voyages from the ports of Calcutta, Madras and Bombay to the British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji;

(b) voyages from the ports of Calcutta, Madras and Bombay to the French Colonies of Réunion, Martinique, Guadeloupe and its dependencies, and Guiana;

(c) voyages from the ports of Calcutta, Madras and Bombay to the Netherlands colony of Dutch Guiana;

(d) voyages from the ports of Calcutta, Madras and Bombay to the Danish colony of St. Croix;

(e) voyages under the Native Passenger Ships Act, 1876, from Calcutta, Madras, Bombay, Karachi, Rangoon and other ports in British India to the Straits Settlements, to the protected Native States adjoining the Straits Settlements, to Australia, and to ports in the Red Sea, Gulf of Aden or Persian Gulf and on the East Coast of Africa.

4. If the passengers or cabin-passengers upon any such voyage as is specified in the last preceding section are taken off from the ship carrying them or are picked up at sea from any boat, raft or otherwise, it shall be lawful, if the port or place to which they are conveyed is in any of Her Majesty's colonial possessions, for the Governor of such colony, or for any person authorized by him for the purpose, or, if in any foreign country, for Her Majesty's Consular Officer at such port or place therein, to defray all or any part of the expenses thereby incurred.

5. If any passenger or cabin-passenger of any such passenger-ship as aforesaid, without any neglect or default of his own, finds himself within any colonial or foreign port or place other than that for which the ship was originally bound, or at which he, or the Emigration Agent, or any public officer or other person on his behalf, has contracted that he should land, it shall be lawful for the Governor of the colony, or for any person authorized by him for the purpose, or for Her Majesty's Consular Officer at the foreign port or place, as the case may be, to forward the passenger or cabin-passenger, to his intended destination, unless the master of the ship, within forty-eight hours of the arrival of such passenger or cabin-passenger, gives to the Governor or Consular Officer, as the case may be, a written undertaking to forward or carry on within six weeks thereafter the passenger or cabin-passenger to his original destination, and unless the master accordingly forwards or carries him on within that period.

6. (1) All expenses incurred under the last two preceding sections, or either of them, by or by the authority of a Governor or Consular Officer, or other person as therein respectively mentioned, including the cost of maintaining the passengers and cabin-passengers until forwarded to their destination, and of all necessary bedding, provisions and stores, shall become a debt to Her Majesty and Her successors from the owner, charterer and master of the ship, and shall be recoverable from them, or from any one or more of them, at the suit and for the use of Her Majesty, in like manner as in the case of other Crown debts.

(2) A certificate in the form given in the schedule hereto annexed, or as near thereto as the circumstances of the case will admit, purporting to be under the hand of any such Governor or Consular Officer (as the case may be), stating the total amount of the expenses, shall, in any suit or other proceeding for the recovery of the debt, be received in evidence without proof of the handwriting or of the official character of the Governor or Consular Officer, and shall be deemed sufficient evidence of the amount of the expenses, and that the same were duly incurred;

nor shall it be necessary to adduce on behalf of Her Majesty any other evidence in support of the claim, but judgment shall pass for the

Crown, with costs of suit, unless the defendant specially pleads and duly proves that the certificate is false or fraudulent, or specially pleads and duly proves any facts showing that the expenses were not duly incurred:

Provided, nevertheless, that in no case shall any larger sum be recovered on account of the expenses than a sum equal to twice the total amount of passage-money received or due to and recoverable by or on account of the owner, charterer or master of the passenger-ship or any of them from or on account of the whole number of passengers and cabin-passengers who may have embarked in the ship; which total amount of passage-money shall be proved by the defendant if he will have the advantage of this limitation of the debt; but if any such passengers are forwarded or conveyed to their intended destination under the provisions of the last preceding section, they shall not be entitled to the return of their passage-money, or to any compensation for loss of passage.

7. No policy of assurance effected in respect of any passages or of any passage or compensation money by any person by this Act made liable in the events aforesaid to provide those passages or to pay that money, or in respect of any other risk under this Act, shall be deemed invalid by reason of the nature of the risk or interest sought to be covered by the policy of assurance.

THE SCHEDULE.

Form of Governor's or Consul's Certificate of Expenditure in the case of Passengers shipwrecked, &c.

(See section 6.)

I hereby certify that acting under, and in conformity with, the provisions of the Indian Sea Passengers Act, 1885, I have defrayed the expenses incurred in rescuing, maintaining, supplying with necessary bedding, provisions and stores (a), and in forwarding to their destination passengers (including cabin-passengers (b)), who were proceeding from to in the passenger-ship which was wrecked at sea, &c. (c).

And I further certify, for the purposes of the sixth section of the said Indian Sea Passengers Act, 1885, that the total amount of such expenses is, and that such expenses were duly incurred by me under the said Act.

(a) N.B.—1. If more passengers were rescued than forwarded, or if bedding, &c., was not supplied, alter the certificate to suit the facts of the case.

(b) N.B.—2. Omit words in brackets when necessary.

(c) N.B.—3. State generally the nature of the disaster and where it occurred. But if the passengers were only left behind without any default of their own, state the fact accordingly.

Given under my hand this 18 day of

(Governor of, &c. (or, as the case may be) Her Britannic Majesty's Consul at

D. FITZPATRICK,

Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

THE following Report on the Bill to amend the law relating to the carriage of passengers by sea was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 8th July, 1885 :—

We, the undersigned, Members of the Select Committee to which the Bill to amend the

From Officiating Secretary to Chief Commissioner, British Burma, No. 301—5M.S., dated 18th February, 1885 [Paper No. 1].

From Secretary to Government, Bengal, No. 400, dated 19th February, 1885, and enclosures [Papers No. 2].

From Chief Secretary to Government, Madras, No. 486J., dated 20th February, 1885, and enclosures [Papers No. 3].

From Under Secretary to Government, Bombay, No. 753, dated 28th February, 1885, and enclosures [Papers No. 4].

From Officiating Registrar, High Court, Calcutta, No. 1018, dated 27th March, 1885 [Papers No. 5].

law relating to the carriage of passengers by sea was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. The papers contain several suggestions both by officials and by commercial

bodies which might be well worthy of consideration if the question were one as to the amendment of the English Passengers Acts, but which, having regard to the conditions under which we are now proceeding, it is beyond our power to entertain.

Acting, as we are, under the 99th section of the 18 & 19 Vic., c. 119, which is recited in the preamble to the Bill, we are restricted to applying to the voyages here in question the provisions of the English Passengers Acts as they stand; and if we were to introduce any modifications in the substance of those provisions, we should in all probability fail to secure for our Act the effect referred to at the end of the preamble, namely, that its provisions "shall be enforced in all Her Majesty's possessions in like manner as the provisions" of the English Passengers Acts.

3. Thus, we have no power to adopt the suggestion of the Bengal Chamber of Commerce that we should amend section 5 of the Bill so as to compel a Colonial Governor or Consular Officer to accept an undertaking to forward passengers offered by the owner, charterer or agent of a ship. We may observe, however, that, having regard to the position of "master" in the Passengers Acts, and to the duties of a master of a wrecked ship, the contingency of there being no master of a wrecked ship, which this amendment was intended to meet, is one likely to be of very rare occurrence.

Moreover, as the Governor or Consular Officer is not compelled to act under the section, but has a discretion in the matter, there can be little doubt that in the case put he would accept the undertaking of the owner, charterer or agent.

4. Similarly, it would be beyond our powers, even if we thought it desirable to do so, to adopt the suggestion of the Madras Chamber that a shipowner should be relieved of the liability imposed by section 6 of the Bill in cases in which the ship is prevented from completing her voyage by the act of God or the Queen's enemies.

It appears to us, however, that the risk involved is one which should be provided against by insurance; and, in order to remove all doubt as to the possibility of so providing against it we have introduced into the Bill a section (7) similar to section 55 of the Passengers Act, 1855, expressly legalizing such insurances.

5. The Government of Bombay draw attention to the want of a provision like section 14 of the Passengers Act Amendment Act, 1863, to meet the case of passengers who may be left in British India owing to their ship being wrecked before she leaves the territorial waters, or who may be brought back to British India owing to their ship being wrecked or disabled after proceeding some short distance on her voyage. We are disposed to agree in thinking some such provision desirable, but the extraordinary powers under which we are now acting are not needed for its enactment, and we think the matter could be more conveniently dealt with in our Native Passengers and Emigration Acts, where we should be free to mould the law as we think fit to suit local requirements.

6. We have, at the suggestion of Brigadier-General Blair, the Political Resident at Aden, amended section 3 (c) so as to extend the Bill to voyages to ports on the East Coast of Africa and in the Gulf of Aden.

7. We have also made such amendments as were necessary to render it clear that the Bill extends, as the English Acts do, to cabin passengers.

8. The publication ordered by the Council has been made as follows :—

In English.

| Gazette. | Date. |
|-------------------------------|--|
| Gazette of India ... | 20th and 27th December, 1884, and 3rd January, 1885. |
| Fort St. George Gazette ... | 13th January, 1885. |
| Bombay Government Gazette ... | 25th December, 1884, and 1st and 8th January, 1885. |
| Calcutta Gazette ... | 24th and 31st December, 1884, and 7th January, 1885. |
| British Burma Gazette ... | 10th, 17th and 24th January, 1885. |

In the Vernaculars.

| <i>Province.</i> | | <i>Language.</i> | <i>Date.</i> |
|------------------|-----|------------------|--|
| Bombay | ... | ... Marāṭhī | ... } 12th February, 1885. |
| | | ... Gujaraṭhī | |
| | | ... Kanarese | |
| Bengal | ... | ... Bengali | ... } 20th and 27th January, and 3rd February, 1885. |
| | | ... Hindī | |
| British Burma | ... | ... Uriya | ... } 20th January, and 5th and 12th February, 1885. |
| | | ... Burmese | |
| | | | ... 7th, 14th and 21st February, 1885. |

We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.

S. C. BAYLEY.

The 8th July, 1885.

D. FITZPATRICK,

Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

(Second publication.)

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 22nd July, 1885, and is hereby promulgated for general information :—

ACT No. XIII of 1885.

THE INDIAN TELEGRAPH ACT,
1885.

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The Indian Telegraph Act, 1885.
(Part I.—Preliminary.—Sections 1-3)
(Part II.—Privileges and Powers of the Government.—Sections 4-7.)

An Act to amend the law relating to Telegraphs in India.

WHEREAS it is expedient to amend the law relating to telegraphs in India; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be called the Indian Telegraph Act, 1885.
Short title, local extent and commencement.

(2) It extends to the whole of British India, and, so far as regards subjects of Her Majesty, to the dominions of Princes and States in India in alliance with Her Majesty; and

(3) It shall come into force on the first day of October, 1885.

Repeal and savings.

2. The Indian Telegraph Act, 1876, is hereby repealed.

But all licenses granted and rules made under that Act or any Act thereby repealed, and now in force, shall, so far as they could be granted or made under this Act, be deemed to have been respectively granted and made hereunder.

3. In this Act, unless there is something repugnant in the subject or context,—
Definitions.

(1) "Telegraph" means an electric, galvanic or magnetic telegraph, and includes appliances and apparatus for transmitting or making telegraphic, telephonic or other communications by means of electricity, galvanism or magnetism:

(2) "Telegraph officer" means any person employed either permanently or temporarily in connection with a telegraph established, maintained or worked by the Government or by a person licensed under this Act:

(3) "Message" means any communication sent by telegraph, or given to a telegraph officer to be sent by telegraph or to be delivered:

(4) "Telegraph line" means a wire or wires used for the purpose of a telegraph, with any casing, coating, tube or pipe enclosing the same, and any appliances and apparatus connected therewith for the purpose of fixing or insulating the same:

(5) "Post" means a post, pole, standard, stay, strut or other above-ground contrivance for carrying, suspending or supporting a telegraph line:

(6) "Telegraph authority" means the Director General of Telegraphs, and includes any officer empowered by him to perform all or any of the functions of the telegraph authority under this Act:

(7) "Local authority" means any municipal committee, district board, body of port commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of any municipal or local fund.

PART II.

PRIVILEGES AND POWERS OF THE GOVERNMENT.

4. Within British India, the Governor-General in Council shall have the exclusive privilege of establishing, maintaining and working telegraphs:

Provided that the Governor-General in Council may grant a license, on such conditions and in consideration of such payments as he thinks fit, to any person to establish, maintain or work a telegraph within any part of British India.

5. (1) On the occurrence of any public emergency, or in the interest of the public safety, the Governor-General in Council or a Local Government, or any officer specially authorised in this behalf by the Governor-General in Council, may—

(a) take temporary possession of any telegraph established, maintained or worked by any person licensed under this Act; or

(b) order that any message or class of messages to or from any person or class of persons, or relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency, or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government of India or to the Local Government shall be conclusive proof on the point.

6. Any Railway Company, on being required so to do by the Governor-General in Council, shall permit the Government to establish and maintain a telegraph upon any part of the land of the Company, and shall give every reasonable facility for working the same.

7. (1) The Governor-General in Council may, from time to time, by notification in the *Gazette of India*, make rules consistent with this Act for the conduct of all or any telegraphs established, maintained or worked by the Government or by persons licensed under this Act.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say:—

(a) the rates at which, and the other conditions and restrictions subject to which, messages shall be transmitted;

(b) the precautions to be taken for preventing the improper interception or disclosure of messages;

(c) the period for which, and the conditions subject to which, telegrams and other documents belonging to, or being in the custody of, telegraph officers shall be preserved; and

*The Indian Telegraph Act, 1885.**(Part II.—Privileges and Powers of the Government.—Sections 8-9.)**(Part III.—Power to place Telegraph Lines and Posts.—Sections 10-15.)*

(d) the fees to be charged for searching for telegrams or other documents in the custody of any telegraph officer.

(3) When making rules for the conduct of any telegraph established, maintained or worked by any person licensed under this Act, the Governor-General in Council may by the rules prescribe fines for any breach of the same:

Provided that the fines so prescribed shall not exceed the following limits, namely:—

(i) when the person licensed under this Act is punishable for the breach, one thousand rupees, and in the case of a continuing breach a further fine of two hundred rupees for every day after the first during the whole or any part of which the breach continues;

(ii) when a servant of the person so licensed, or any other person, is punishable for the breach, one-fourth of the amounts specified in clause (i).

8. The Governor-General in Council may, at any time, revoke any license granted under section 4, on the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

9. The Secretary of State for India in Council shall not be responsible for any loss or damage which may occur in consequence of any telegraph officer failing in his duty with respect to the receipt, transmission or delivery of any message; and no such officer shall be responsible for any such loss or damage, unless he causes the same negligently, maliciously or fraudulently.

PART III.

POWER TO PLACE TELEGRAPH LINES AND POSTS.

10. The telegraph authority may, from time to time, place and maintain a telegraph line under, over, along or across, and posts in or upon, any immovable property:

Provided that—

- (a) the telegraph authority shall not exercise the powers conferred by this section except for the purposes of a telegraph established or maintained by the Government, or to be so established or maintained;
- (b) the Government shall not acquire any right other than that of user only in the property under, over, along, across, in or upon which the telegraph authority places any telegraph line or post; and
- (c) except as hereinafter provided, the telegraph authority shall not exercise those powers in respect of any property vested in or under the control or management of any local authority, without the permission of that authority; and
- (d) in the exercise of the powers conferred by this section, the telegraph authority shall do as little damage as possible, and, when it has exercised those powers in respect of any property other than that referred to in clause (c), shall pay full compensation to all persons interested for

any damage sustained by them by reason of the exercise of those powers.

11. The telegraph authority may, at any time, for the purpose of examining, repairing, altering or removing any telegraph line or post, enter on the property under, over, along, across, in or upon which the line or post has been placed.

Provisions applicable to Property vested in or under the Control or Management of Local Authorities.

12. Any permission given by a local authority under section 10, clause (c), may be given subject to such reasonable conditions as that authority thinks fit to impose, as to the payment of any expenses to which the authority will necessarily be put in consequence of the exercise of the powers conferred by that section, or as to the time or mode of execution of any work, or as to any other thing connected with or relative to any work undertaken by the telegraph authority under those powers.

13. When, under the foregoing provisions of this Act, a telegraph line or post has been placed by the telegraph authority under, over, along, across, in or upon any property vested in or under the control or management of a local authority, and the local authority, having regard to circumstances which have arisen since the telegraph line or post was so placed, considers it expedient that it should be removed or that its position should be altered, the local authority may require the telegraph authority to remove it or alter its position, as the case may be.

14. The telegraph authority may, for the purpose of exercising the powers conferred upon it by this Act in respect of any property vested in or under the control or management of a local authority, alter the position thereunder of any pipe (not being a main) for the supply of gas or water, or of any drain (not being a main drain):

Provided that—

- (a) when the telegraph authority desires to alter the position of any such pipe or drain it shall give reasonable notice of its intention to do so, specifying the time at which it will begin to do so, to the local authority, and, when the pipe or drain is not under the control of the local authority, to the person under whose control the pipe or drain is;
- (b) a local authority or person receiving notice under clause (a) may send a person to superintend the work, and the telegraph authority shall execute the work to the reasonable satisfaction of the person so sent.

15. (1) If any dispute arises between the telegraph authority and a local authority in consequence of the local authority refusing the permission referred to in section 10, clause (c), or prescribing any condition under section 12, or in consequence of the telegraph authority

*The Indian Telegraph Act, 1885.**(Part III.—Power to place Telegraph Lines and Posts.—Sections 16-19.)**(Part IV.—Penalties.—Sections 20-21.)*

omitting to comply with a requisition made under section 13, or otherwise in respect of the exercise of the powers conferred by this Act, it shall be determined by such officer as the Local Government may appoint either generally or specially in this behalf.

(2) An appeal from the determination of the officer so appointed shall lie to the Local Government; and the order of the Local Government shall be final.

Provisions applicable to other Property.

16. (1) If the exercise of the powers mentioned in section 10 in respect of property referred to in clause (d) of that section is resisted or obstructed, the District Magistrate may, in his discretion, order that the telegraph authority shall be permitted to exercise them.

(2) If, after the making of an order under sub-section (1), any person resists the exercise of those powers, or, having control over the property, does not give all facilities for their being exercised, he shall be deemed to have committed an offence under section 185 of the Indian Penal Code.

(3) If any dispute arises concerning the sufficiency of the compensation to be paid under section 10, clause (d), it shall, on application for that purpose by either of the disputing parties to the District Judge within whose jurisdiction the property is situate, be determined by him.

(4) If any dispute arises as to the persons entitled to receive compensation, or as to the proportions in which the persons interested are entitled to share in it, the telegraph authority may pay into the Court of the District Judge such amount as he deems sufficient or, where all the disputing parties have in writing admitted the amount tendered to be sufficient or the amount has been determined under sub-section (3), that amount; and the District Judge, after giving notice to the parties and hearing such of them as desire to be heard, shall determine the persons entitled to receive the compensation or, as the case may be, the proportions in which the persons interested are entitled to share in it.

(5) Every determination of a dispute by a District Judge under sub-section (3) or sub-section (4) shall be final:

Provided that nothing in this sub-section shall affect the right of any person to recover by suit the whole or any part of any compensation paid by the telegraph authority, from the person who has received the same.

17. (1) When, under the foregoing provisions of this Act, a telegraph line or post has been placed by the telegraph authority under, over, along, across, in or upon any property, not being property vested in or under the control or management of a local authority, and any person entitled to do so desires to deal with that property in such a manner as to render it necessary or convenient that the telegraph line or post should be removed to another part thereof or to a higher or lower level or altered in form, he may require the telegraph authority to remove or alter the line or post accordingly:

Provided that, if compensation has been paid under section 10, clause (d), he shall, when making the requisition, tender to the telegraph authority the amount requisite to defray the expense of the removal or alteration, or half of the amount paid as compensation, whichever may be the smaller sum.

(2) If the telegraph authority omits to comply with the requisition, the person making it may apply to the District Magistrate within whose jurisdiction the property is situate to order the removal or alteration.

(3) A District Magistrate receiving an application under sub-section (2) may, in his discretion, reject the same or make an order, absolutely or subject to conditions, for the removal of the telegraph line or post to any other part of the property or to a higher or lower level or for the alteration of its form; and the order so made shall be final.

Provisions applicable to all Property.

18. (1) If any tree standing or lying near a telegraph line interrupts, or is likely to interrupt, telegraphic communication, a Magistrate of the first or second class may, on the application of the telegraph authority, cause the tree to be removed or dealt with in such other way as he deems fit.

(2) When disposing of an application under sub-section (1), the Magistrate shall, in the case of any tree in existence before the telegraph line was placed, award to the persons interested in the tree such compensation as he thinks reasonable, and the award shall be final.

19. Every telegraph line or post placed before the passing of this Act under, over, along, across, in or upon any property, for the purposes of a telegraph established or maintained by the Government, shall be deemed to have been placed in exercise of the powers conferred by, and after observance of all the requirements of, this Act.

PART IV.

PENALTIES.

20. If any person establishes, maintains or works a telegraph within British India, otherwise than as permitted by a license granted under section 4, or breaks any condition contained in such a license, he shall be punished with fine which may extend to one thousand rupees, and with a further fine which may extend to five hundred rupees for every week during which the line is maintained or worked or the breach of the condition continues.

21. If any person, knowing or having reason to believe that a telegraph has been established or is maintained or worked in contravention of this Act, transmits or receives any message by such telegraph, or performs any service incidental thereto, or delivers any message for transmission by such telegraph or accepts delivery of any message sent thereby, he shall be punished with fine which may extend to fifty rupees.

*The Indian Telegraph Act, 1885.**(Part IV.—Penalties.—Sections 22-32.)**(Part V.—Supplemental Provision.—Section 33.)*

22. If a Railway Company, or an officer of a Railway Company, neglects or refuses to comply with the provisions of section 6, it or he shall be punished with fine which may extend to one thousand rupees for every day during which the neglect or refusal continues.

Intrusion into signal-room, trespass in telegraph office or obstruction.

23. If any person—

- (a) without permission of competent authority, enters the signal-room of a telegraph office of the Government, or of a person licensed under this Act, or
 - (b) enters a fenced enclosure round such a telegraph office in contravention of any rule or notice not to do so, or
 - (c) refuses to quit such room or enclosure on being requested to do so by any officer or servant employed therein, or
 - (d) wilfully obstructs or impedes any such officer or servant in the performance of his duty,
- he shall be punished with fine which may extend to five hundred rupees.

24. If any person does any of the acts mentioned in section 23 with the intention of unlawfully learning the contents of any message, or of committing any offence punishable under this Act, he may (in addition to the fine with which he is punishable under section 23) be punished with imprisonment for a term which may extend to one year.

Intentionally damaging or tampering with telegraphs.

25. If any person, intending—

- (a) to prevent or obstruct the transmission or delivery of any message, or
 - (b) to intercept or to acquaint himself with the contents of any message, or
 - (c) to commit mischief,
- damages, removes, tampers with or touches any battery, machinery, telegraph line, post or other thing whatever, being part of or used in or about any telegraph or in the working thereof, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

26. If any telegraph officer, or any person, not being a telegraph officer but having official duties connected with any office which is used as a telegraph office,—

- (a) wilfully secretes, makes away with or alters any message which he has received for transmission or delivery, or
- (b) wilfully, and otherwise than in obedience to an order of the Governor General in Council or of a Local Government, or of an officer specially authorised by the Governor General in Council to make the order, omits to transmit, or intercepts or detains, any message or any part thereof, or otherwise than in pursuance of his official duty or in obedience to the direction of a competent Court, discloses the con-

tents or any part of the contents of any message, to any person not entitled to receive the same or

- (c) divulges the purport of any telegraphic signal to any person not entitled to become acquainted with the same,

he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

27. If any telegraph officer transmits by telegraph any message or telegraph officer fraudulently sends messages without payment, which the charge prescribed by the Government, or by a person licensed under this Act, as the case may be, has not been paid, intending thereby to defraud the Government or that person, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

28. If any telegraph officer, or any person not being a telegraph officer but having official duties connected with any office which is used as a telegraph office, is guilty of any act of drunkenness, carelessness or other misconduct whereby the correct transmission or the delivery of any message is impeded or delayed, or if any telegraph officer loiters or delays in the transmission or delivery of any message, he shall be punished with imprisonment for a term which may extend to three months, or with fine, which may extend to one hundred rupees, or with both.

29. If any person transmits or causes to be transmitted by telegraph a message which he knows to be false or fabricated, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

30. If any person fraudulently retains, or wilfully secretes, makes away with or detains a message delivered by mistake which ought to have been delivered to some other person, or, being required by a telegraph officer to deliver up any such message, neglects or refuses to do so, he shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

31. A telegraph officer shall be deemed a public servant within the meaning of sections 161, 162, 163, 164 and 165 of the Indian Penal Code; and in the definition of "legal remuneration" contained in the said section 161, the word "Government" shall, for the purposes of this Act, be deemed to include a person licensed under this Act.

32. Whoever attempts to commit any offence punishable under this Act shall be punished with the punishment herein provided for the offence.

PART V.

SUPPLEMENTAL PROVISION.

33. (1) Whenever it appears to the Local Government that any act causing or likely to cause wrongful damage to any telegraph is repeatedly and maliciously committed in

The Indian Telegraph Act, 1885.

any place, and that the employment of an additional police-force in that place is thereby rendered necessary, the Local Government may send such additional police-force as it thinks fit to the place, and employ the same therein so long as, in the opinion of that Government, the necessity of doing so continues.

(2) The inhabitants of the place shall be charged with the cost of the additional police-force, and the District Magistrate shall, subject to the orders of the Local Government, assess the proportion in which the cost shall be paid by the inhabitants according to his judgment of their respective means.

(3) All moneys payable under sub-section (2) shall be recoverable either under the warrant of a Magistrate by distress and sale of the moveable property of the defaulter within the local limits of his jurisdiction, or by suit in any competent Court.

(4) The Local Government may, by order in writing, define the limits of any place for the purposes of this section.

D. FITZPATRICK,

Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

THE following Report on the Bill to facilitate the construction of Telegraphs, and to amend the Indian Telegraph Act, 1876, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 8th July, 1885:—

We, the undersigned, Members of the Select Committee to which the Bill to facilitate the

- construction of Telegraphs, and to amend the Indian Telegraph Act, 1876, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.
2. We are of opinion that it would be for the convenience of the Telegraph Department and the public that Act I of 1876 should be amended and re-enacted with most of the modifications and additions proposed by the Bill as introduced. We have accordingly re-drawn the Bill as a consolidating measure.
3. Objection having been taken to licensees being entrusted with the powers with which it was proposed to invest them as telegraph authorities, we have defined "telegraph authority" to mean the Government Telegraph Department (section 3, clause (6)), and provided that that authority shall not exercise the power of placing telegraph lines and posts except for the purposes of a telegraph established or maintained by the Government or to be so established or maintained (section 10).
4. We have also amended the definition of "local authority" so as to make that expression include a cantonment authority and clearly exclude any commercial association however incorporated (section 3, clause (7)).
5. In declaring, in section 4, the exclusive privilege of the Government to extend to establishing, maintaining and working telegraphs, and in empowering the Government to grant licenses to establish, maintain or work telegraphs, we formulate what is, and has always been understood to be, the existing law, and at the same time avoid the necessity of using the words "lease" and "lessee" which were introduced into the Bill of last year (section 13). A lease is a license to work a line established and maintained by the Government, and a lessee is the holder of such a license.
6. By section 7, sub-section (2), clause (b), we propose to give the Government the power of requiring licensees to provide for the seclusion of telegraph instruments at all offices open for the receipt of public messages. Clauses (c) and (d) of the same sub-section have been suggested to us by correspondence that has been placed at our disposal by the Public Works Department of the Government of India, respecting applications from time to time made by private persons to the Telegraph Department for the preservation of telegrams.
7. Most of the objections that were taken to the Bill as introduced, chiefly by commercial bodies in Calcutta, will, it is believed, have been met by our proposal that the power of

From Officiating Registrar, High Court, Calcutta, No. 2609, dated 15th September, 1884 [Paper No. 1].

From Secretary to Chief Commissioner, Coorg, No. 807—111, dated 19th September, 1884 [Paper No. 2].

From Officiating Secretary to Chief Commissioner, British Burma, No. 771-18L, dated 26th September, 1884, and enclosures [Papers No. 3].

From Officiating Secretary to Chief Commissioner, Assam, No. 1536, dated 27th September, 1884, and enclosures [Papers No. 4].

From Chief Commissioner, Ajmer-Merwara, No. 842, dated 3rd October, 1884 [Paper No. 5].

From Officiating Secretary to Government, North-Western Provinces and Oudh, No. 1057—VII-270, dated 7th October, 1884, and enclosures [Papers No. 6].

From Secretary for Berar to Resident, Hyderabad, No. 359G, dated 9th October, 1884 [Paper No. 7].

From Chief Secretary to Government, Madras, No. 2541, dated 6th October, 1884, and enclosures [Papers No. 8].

From Officiating Secretary to Government, Punjab, No. 911, dated 23rd October, 1884, and enclosures [Papers No. 9].

From Assistant Secretary to Chief Commissioner, Central Provinces, No. 5183—240, dated 6th November, 1884 [Paper No. 10].

From Under-Secretary to Government, Bombay, No. 7782, dated 7th November, 1884, and enclosures [Papers No. 11].

From Secretary to Government, Bengal, No. 1461T.—R., dated 23rd October, 1884, and enclosures [Papers No. 12].

Extract, paragraph 111, from Proceedings of the Meerut Association, No. 13, dated 16th November, 1884 [Paper No. 13].

Telegram from Secretary to Government, North-Western Provinces and Oudh, dated 13th December, 1884 [Paper No. 14].

placing telegraph lines and posts shall only be exercised by the Government Telegraph Department for the purposes of telegraphs established or maintained by the Government.

8. In section 11 we have, following a recent English Act, proposed to empower the telegraph authority to enter at any time on property for the purpose of examining, repairing, altering or removing any telegraph line or post that has been placed on it.

9. In section 14 we have adhered to the provisions of the English Act (26 & 27 Vic., c. 112, sections 6 and 8), though in practice the officers of the Telegraph Department will doubtless arrange for the alteration of the position of any pipe or drain being carried out by the authority having control of it.

10. In section 15 we have provided, on the suggestion of the Government of Bombay, that disputes between the telegraph authority and local authorities shall be determined by a local officer whose decision will be subject to appeal to the Local Government.

11. In section 16, sub-sections (1) and (2), we have provided for recourse being had by the telegraph authority to the District Magistrate where the exercise of the powers conferred on that authority is resisted. We have also provided in this section, sub-section (1), in accordance with the suggestion of the Government of Bombay, that the telegraph authority may pay compensation into Court where any dispute arises as to the persons entitled to receive it.

12. We have met the objections that were taken to section 10 of the Bill as introduced by providing in section 17 of the present Bill that a person desiring the removal or the alteration of the position of a telegraph line or post shall tender the cost of the removal or alteration in those cases only in which compensation has been paid by the telegraph authority, and that in those cases he shall not be required to tender more than half the sum that was paid to him as compensation.

13. By section 18 we have proposed to provide for the removal by order of a Magistrate of trees interrupting or likely to interrupt telegraphic communication. A somewhat similar provision in the case of trees dangerous to railways is contained in the Regulation of Railways Act, 1868 (31 & 32 Vic. c. 119, section 24).

14. By section 23 we propose to subject a person who is not a telegraph officer, but has official duties connected with an office which is used as a telegraph office, to the same penalty as that to which a telegraph officer is liable for secreting or altering telegrams or unlawfully intercepting or disclosing them. Many post offices in India are now used as telegraph offices, and we consider that postal officials should be restrained by penalty, as they are under the English Telegraph Act of 1868, from abusing such opportunities as they may have of becoming acquainted with the contents of telegraphic messages.

15. The publication ordered by the Council has been made as follows:—

In English.

| <i>Gazette.</i> | <i>Date.</i> |
|--|--|
| <i>Gazette of India</i> ... | 23rd and 30th August, and 6th September, 1884. |
| <i>Fort Saint George Gazette</i> ... | 9th September, 1884. |
| <i>Bombay Government Gazette</i> ... | 28th August, and 4th and 11th September, 1884. |
| <i>Calcutta Gazette</i> ... | 3rd, 10th and 17th September, 1884. |
| <i>North-Western Provinces and Oudh Government Gazette</i> ... | 30th August, and 6th and 13th September, 1884. |
| <i>Punjab Government Gazette</i> ... | 4th, 11th and 18th September, 1884. |
| <i>Central Provinces Gazette</i> ... | 30th August, and 6th and 13th September, 1884. |
| <i>British Burma Gazette</i> ... | 13th, 20th and 27th September, 1884. |
| <i>Assam Gazette</i> ... | 13th September, 1884. |

In the Vernaculars.

| <i>Province.</i> | <i>Language.</i> | <i>Date.</i> |
|--------------------------------------|------------------|---|
| Madras ... | Tamil ... | 18th November, 1884. |
| Bombay ... | Gujarathi ... | 13th November, 1884. |
| | Kanarese ... | 13th November, 1884. |
| Bengal ... | Bengali ... | 4th November, 1884. |
| | Hindi ... | 4th November, 1884. |
| | Urdu ... | 13th November, 1884. |
| North-Western Provinces and Oudh ... | Urdu ... | 13th December, 1884, and 24th and 31st January, 1885. |
| Punjab ... | Urdu ... | 22nd and 29th September, and 6th October, 1884. |
| Burma ... | Burmese ... | 27th September, and 4th and 11th October, 1884. |

We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

T. C. HOPE.

C. P. ILBERT.

The 5th July, 1885.

D. FITZPATRICK,

Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 31st July, 1885, and is hereby promulgated for general information:—

Act No. XIV OF 1885.

An Act to amend the Burma Courts Act, 1875, and section 360 of the Code of Civil Procedure.

WHEREAS it is expedient to amend the Burma Courts Act, 1875, and section 360 of the Code of Civil Procedure; It is hereby enacted as follows:—

Short title and commencement.
1885; and

1. (1) This Act may be called the Burma Courts Act,

(2) It shall come into force at once.

2. (1) The Chief Commissioner of British Burma may, from time to time, by order notified in the official Gazette, direct that, from a date to be therein specified, the jurisdiction vested

in the Recorder within the towns of Moulmein, Akyab and Bassein by section 66 of the Burma Courts Act, 1875, shall be vested, as regards each or any of those towns, as follows:—

(a) in the Civil Judge of Moulmein within the town of Moulmein;

(b) in the Deputy Commissioner of Akyab within the town of Akyab;

(c) in the Deputy Commissioner of Bassein within the town of Bassein.

(2) While any such order is in force, the said section 66 shall, with respect to any town to which the order applies, have effect as if it referred to the officer in whom the jurisdiction is so

vested instead of to the Recorder, and all cases pending at the date of the order shall be disposed of accordingly.

(3) Provided that nothing in this section shall prevent the Recorder from entertaining and disposing of in his own Court any case, whether pending at the date of the order or subsequently instituted, which, by reason of its importance or otherwise, may, in his opinion, be more conveniently so disposed of.

(4) The Chief Commissioner may, by order notified as aforesaid, cancel any order made under subsection (1) as to all or any of the towns to which the order applies, but not so as to affect any proceedings pending at the date of the cancelling order.

3. The last paragraph of section 360 of the Code of Civil Procedure is hereby repealed.

4. (1) The Chief Commissioner may, from time to time, transfer to the Court of the Judicial Commissioner any particular cases or particular classes of cases that may be pending in the Court of the Recorder.

(2) In the disposal of such cases the Judicial Commissioner shall administer the same law, follow the same procedure, exercise the same powers and use the same seal as would be administered, followed, exercised and used by the Recorder in like cases.

(3) Section 84 of the Burma Courts Act, 1875, shall apply to the Court of the Judicial Commissioner when disposing of such cases.

(4) All decrees, orders and sentences made or passed in such cases by the Judicial Commissioner shall, for the purposes of the law relating to appeals, references and revision, be deemed to be made or passed by the Recorder.

D. FITZPATRICK,

Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, AUGUST 8, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 22nd July, 1885, and is hereby promulgated for general information :—

ACT No. XII OF 1885.

An Act to amend the law relating to the carriage of passengers by sea.

18 & 19 Vic.,
c. 119.
WHEREAS by section 99 of an Act of the Imperial Parliament called "The Passengers Act, 1855," it is enacted that "it shall be lawful for the Governor-General of India in Council, from time to time, by any Act or Acts to be passed for that purpose, to declare that this Act or any part thereof shall apply to the carriage of passengers upon any voyage, from any ports or places within the territories of British India, to be specified in such Act or Acts, to any other places whatsoever, to be also specified in such Act or Acts;" and it is thereby also enacted that "on the passing of such Indian Act or Acts, and whilst the same shall remain in force, all such parts of this Act as shall be adopted therein shall apply to and extend to the carriage of passengers upon such voyages as in the said Indian Act or Acts shall be specified. The provisions of such Indian Act shall be enforced in all Her Majesty's possessions in like manner as the provisions of this Act may be enforced ;"

And whereas certain parts of the said Act of Parliament were by Act II of 1860 (*to amend the law relating to the carriage of passengers by sea*) made applicable to the carriage of passengers upon certain specified voyages ;

26 & 27 Vic.,
c. 51.
18 & 19 Vic.,
c. 119.
And whereas by an Act of the Imperial Parliament called "The Passengers Act Amendment Act, 1863," certain parts of the Passengers Act, 1855, which were so made applicable, have been amended, and it is provided that the said Acts of the Imperial Parliament shall be construed together as one Act ;

18 & 19 Vic.,
c. 119.
And whereas it is expedient that the amendments so made in the Passengers Act, 1855, should also be made in the parts of that Act so

made applicable and it is also expedient to apply those parts so amended to the carriage of passengers upon certain voyages not specified in Act II of 1860 ;

It is hereby enacted as follows :—

Short title and commencement. 1. (1) This Act may be called the Indian Sea Passengers Act, 1885 ; and

(2) It shall come into force on the first day of October, 1885.

2. On and from the day on which this Act comes into force, Act II of 1860 (*to amend the law relating to the carriage of passengers by sea*) shall be repealed.

3. The provisions contained in sections 4, 5 and 6 of this Act, and the schedule hereto annexed (being parts of the Passengers Act, 1855, as amended by the Passengers Act Amendment Act, 1863), are declared applicable to the carriage of passengers upon the following voyages, namely :—

(a) voyages from the ports of Calcutta, Madras and Bombay to the British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji ;

(b) voyages from the ports of Calcutta, Madras and Bombay to the French Colonies of Réunion, Martinique, Guadeloupe and its dependencies, and Guiana ;

(c) voyages from the ports of Calcutta, Madras and Bombay to the Netherlands colony of Dutch Guiana ;

(d) voyages from the ports of Calcutta, Madras and Bombay to the Danish colony of St. Croix ;

(e) voyages under the Native Passenger Ships Act, 1876, from Calcutta, Madras, Bombay, Karachi, Rangoon and other ports in British India to the Straits Settlements, to the protected Native States adjoining the Straits Settlements, to Australia, and to ports in the Red Sea, Gulf of Aden or Persian Gulf and on the East Coast of Africa.

4. If the passengers or cabin-passengers upon any such voyage as is specified in the last preceding section are taken off from the ship carrying them or are picked up at sea from any boat, raft or otherwise, it shall be lawful, if the port or place to which they are conveyed is in any of Her Majesty's colonial possessions, for the Governor of such colony, or for any person authorized by him for the purpose, or, if in any foreign country, for Her Majesty's Consular Officer at such port or place therein, to defray all or any part of the expenses thereby incurred.

5. If any passenger or cabin-passenger of any such passenger-ship as aforesaid, without any neglect or default of his own, finds himself within any colonial or foreign port or place other than that for which the ship was originally bound, or at which he, or the Emigration Agent, or any public officer or other person on his behalf, has contracted that he should land, it shall be lawful for the Governor of the colony, or for any person authorized by him for the purpose, or for Her Majesty's Consular Officer at the foreign port or place, as the case may be, to forward the passenger or cabin-passenger to his intended destination, unless the master of the ship, within forty-eight hours of the arrival of such passenger or cabin-passenger, gives to the Governor or Consular Officer, as the case may be, a written undertaking to forward or carry on within six weeks thereafter the passenger or cabin-passenger to his original destination, and unless the master accordingly forwards or carries him on within that period.

6. (1) All expenses incurred under the last two preceding sections, or either under sections 4 and 5 of them, by or by the authority of a Governor or Consular Officer, or other person as therein respectively mentioned, including the cost of maintaining the passengers and cabin-passengers until forwarded to their destination, and of all necessary bedding, provisions and stores, shall become a debt to Her Majesty and Her successors from the owner, charterer and master of the ship, and shall be recoverable from them, or from any one or more of them, at the suit and for the use of Her Majesty, in like manner as in the case of other Crown debts.

(2) A certificate in the form given in the schedule hereto annexed, or as near thereto as the circumstances of the case will admit, purporting to be under the hand of any such Governor or Consular Officer (as the case may be), stating the total amount of the expenses, shall, in any suit or other proceeding for the recovery of the debt, be received in evidence without proof of the handwriting or of the official character of the Governor or Consular Officer, and shall be deemed sufficient evidence of the amount of the expenses, and that the same were duly incurred;

nor shall it be necessary to adduce on behalf of Her Majesty any other evidence in support of the claim, but judgment shall pass for the

Crown, with costs of suit, unless the defendant specially pleads and duly proves that the certificate is false or fraudulent, or specially pleads and duly proves any facts showing that the expenses were not duly incurred:

Provided, nevertheless, that in no case shall any larger sum be recovered on account of the expenses than a sum equal to twice the total amount of passage-money received or due to and recoverable by or on account of the owner, charterer or master of the passenger-ship or any of them from or on account of the whole number of passengers and cabin-passengers who may have embarked in the ship; which total amount of passage-money shall be proved by the defendant if he will have the advantage of this limitation of the debt; but if any such passengers are forwarded or conveyed to their intended destination under the provisions of the last preceding section, they shall not be entitled to the return of their passage-money, or to any compensation for loss of passage.

7. No policy of assurance effected in respect of any passages or of any passage or compensation money by any person by this Act made liable in the events aforesaid to provide those passages or to pay that money, or in respect of any other risk under this Act, shall be deemed invalid by reason of the nature of the risk or interest sought to be covered by the policy of assurance.

THE SCHEDULE.

Form of Governor's or Consul's Certificate of Expenditure in the case of Passengers shipwrecked, &c.

(See section 6.)

I hereby certify that acting under, and in conformity with, the provisions of the Indian Sea Passengers Act, 1885, I have defrayed the expenses incurred in rescuing, maintaining, supplying with necessary bedding, provisions and stores (a), and in forwarding to their destination passengers (including cabin-passengers (b)), who were proceeding from to in the passenger-ship which was wrecked at sea, &c. (c).

And I further certify, for the purposes of the sixth section of the said Indian Sea Passengers Act, 1885, that the total amount of such expenses is , and that such expenses were duly incurred by me under the said Act.

(a) N.B.—1. If more passengers were rescued than forwarded, or if bedding, &c., was not supplied, alter the certificate to suit the facts of the case.

(b) N.D.—2. Omit words in brackets when necessary.

(c) N.B.—3. State generally the nature of the disaster and where it occurred. But if the passengers were only left behind without any default of their own, state the fact accordingly.

Given under my hand this 18 .

day of .

{ Governor of, &c. (or, as the case may be) Her Britannic Majesty's Consul at

D. FITZPATRICK,
Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

THE following Report on the Bill to amend the law relating to the carriage of passengers by sea was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 8th July, 1885:—

We, the undersigned, Members of the Select Committee to which the Bill to amend the

From Officiating Secretary to Chief Commissioner, British Burma, No. 301—5M.S., dated 13th February, 1885 [Paper No. 1].

From Secretary to Government, Bengal, No. 409, dated 19th February, 1885, and enclosure [Papers No. 2].

From Chief Secretary to Government, Madras, No. 486J., dated 20th February, 1885, and enclosure [Papers No. 3].

From Under Secretary to Government, Bombay, No. 753, dated 28th February, 1885, and enclosure [Papers No. 4].

From Officiating Registrar, High Court, Calcutta, No. 1018, dated 27th March, 1885 [Papers No. 5].

law relating to the carriage of passengers by sea was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. The papers contain several suggestions both by officials and by commercial

bodies which might be well worthy of consideration if the question were one as to the amendment of the English Passengers Acts, but which, having regard to the conditions under which we are now proceeding, it is beyond our power to entertain.

Acting, as we are, under the 99th section of the 18 & 19 Vic., c. 119, which is recited in the preamble to the Bill, we are restricted to applying to the voyages here in question the provisions of the English Passengers Acts as they stand; and if we were to introduce any modifications in the substance of those provisions, we should in all probability fail to secure for our Act the effect referred to at the end of the preamble, namely, that its provisions "shall be enforced in all Her Majesty's possessions in like manner as the provisions" of the English Passengers Acts.

3. Thus, we have no power to adopt the suggestion of the Bengal Chamber of Commerce that we should amend section 5 of the Bill so as to compel a Colonial Governor or Consular Officer to accept an undertaking to forward passengers offered by the owner, charterer or agent of a ship. We may observe, however, that, having regard to the definition of "master" in the Passengers Acts, and to the duties of a master of a wrecked ship, the contingency of there being no master of a wrecked ship, which this amendment was intended to meet, is one likely to be of very rare occurrence.

Moreover, as the Governor or Consular Officer is not compelled to act under the section, but has a discretion in the matter, there can be little doubt that in the case put he would accept the undertaking of the owner, charterer or agent.

4. Similarly, it would be beyond our powers, even if we thought it desirable to do so, to adopt the suggestion of the Madras Chamber that a shipowner should be relieved of the liability imposed by section 6 of the Bill in cases in which the ship is prevented from completing her voyage by the act of God or the Queen's enemies.

It appears to us, however, that the risk involved is one which should be provided against by insurance; and, in order to remove all doubt as to the possibility of so providing against it we have introduced into the Bill a section (7) similar to section 55 of the Passengers Act, 1855, expressly legalizing such insurances.

5. The Government of Bombay draw attention to the want of a provision like section 14 of the Passengers Act Amendment Act, 1863, to meet the case of passengers who may be left in British India owing to their ship being wrecked before she leaves the territorial waters, or who may be brought back to British India owing to their ship being wrecked or disabled after proceeding some short distance on her voyage. We are disposed to agree in thinking some such provision desirable, but the extraordinary powers under which we are now acting are not needed for its enactment, and we think the matter could be more conveniently dealt with in our Native Passengers and Emigration Acts, where we should be free to mould the law as we think fit to suit local requirements.

6. We have, at the suggestion of Brigadier-General Blair, the Political Resident at Aden, amended section 3 (c) so as to extend the Bill to voyages to ports on the East Coast of Africa and in the Gulf of Aden.

7. We have also made such amendments as were necessary to render it clear that the Bill extends, as the English Acts do, to cabin passengers.

8. The publication ordered by the Council has been made as follows:—

In English.

| Gazette. | Date. |
|---------------------------|--|
| Gazette of India | 20th and 27th December, 1884, and 3rd January, 1885. |
| Fort St. George Gazette | 13th January, 1885. |
| Bombay Government Gazette | 25th December, 1884, and 1st and 8th January, 1885. |
| Calcutta Gazette | 24th and 31st December, 1884, and 7th January, 1885. |
| British Burma Gazette | 10th, 17th and 24th January, 1885. |

In the Vernaculars.

| <i>Province.</i> | <i>Language.</i> | <i>Date.</i> |
|-------------------|------------------|--|
| Bombay ... | Maráthí ... | } 12th February, 1885. |
| | Gujaráthí ... | |
| | Kanarese ... | |
| Bengal ... | Bengalí ... | } 20th and 27th January, and 3rd February, 1885. |
| | Hindí ... | |
| | Uriya ... | |
| British Burma ... | Burmese ... | } 28th January, and 5th and 12th February, 1885. 7th, 14th and 21st February, 1885. |
| | | |

We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.

S. C. BAYLEY.

The 8th July, 1885.

D. FITZPATRICK,

Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 22nd July, 1885, and is hereby promulgated for general information:—

Act No. XIII of 1885.

THE INDIAN TELEGRAPH ACT,
1885.

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28. Misconduct.
29. Sending fabricated message.
30. Retaining a message delivered by mistake.
31. Bribery.
32. Attempts to commit offences.

PART V.

SUPPLEMENTAL PROVISION.

33. Power to employ additional police in places where mischief to telegraphs is repeatedly committed.

*The Indian Telegraph Act, 1885.**(Part I.—Preliminary.—Sections 1-3.)**(Part II.—Privileges and Powers of the Government.—Sections 4-7.)**An Act to amend the law relating to Telegraphs in India.*

WHEREAS it is expedient to amend the law relating to telegraphs in India; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be called the Indian Telegraph Act, 1885.
Short title, local extent and commencement.

(2) It extends to the whole of British India, and, so far as regards subjects of Her Majesty, to the dominions of Princes and States in India in alliance with Her Majesty; and

(3) It shall come into force on the first day of October, 1885.

Repeal and savings.

2. The Indian Telegraph Act, 1876, is hereby repealed.

1 of 1876.

But all licenses granted and rules made under that Act or any Act thereby repealed, and now in force, shall, so far as they could be granted or made under this Act, be deemed to have been respectively granted and made hereunder.

3. In this Act, unless there is something repugnant in the subject or context,—
Definitions.

(1) "Telegraph" means an electric, galvanic or magnetic telegraph, and includes appliances and apparatus for transmitting or making telegraphic, telephonic or other communications by means of electricity, galvanism or magnetism:

(2) "Telegraph officer" means any person employed either permanently or temporarily in connection with a telegraph established, maintained or worked by the Government or by a person licensed under this Act:

(3) "Message" means any communication sent by telegraph, or given to a telegraph officer to be sent by telegraph or to be delivered:

(4) "Telegraph line" means a wire or wires used for the purpose of a telegraph, with any casing, coating, tube or pipe enclosing the same, and any appliances and apparatus connected therewith for the purpose of fixing or insulating the same:

(5) "Post" means a post, pole, standard, stay, strut or other above-ground contrivance for carrying, suspending or supporting a telegraph line:

(6) "Telegraph authority" means the Director General of Telegraphs, and includes any officer empowered by him to perform all or any of the functions of the telegraph authority under this Act:

(7) "Local authority" means any municipal committee, district board, body of port commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of any municipal or local fund.

PART II.

PRIVILEGES AND POWERS OF THE GOVERNMENT.

4. Within British India, the Governor-General in Council shall have the exclusive privilege in respect of telegraphs, and power to grant licenses, of establishing, maintaining and working telegraphs:

Provided that the Governor-General in Council may grant a license, on such conditions and in consideration of such payments as he thinks fit, to any person to establish, maintain or work a telegraph within any part of British India.

5. (1) On the occurrence of any public emergency, or in the interest of the public safety, the Governor-General in Council or a Local Government, or any officer specially authorised in this behalf by the Governor-General in Council, may—

(a) take temporary possession of any telegraph established, maintained or worked by any person licensed under this Act; or

(b) order that any message or class of messages to or from any person or class of persons, or relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency, or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government of India or to the Local Government shall be conclusive proof on the point.

6. Any Railway Company, on being required so to do by the Governor-General in Council, shall permit the Government to establish and maintain a telegraph upon any part of the land of the Company, and shall give every reasonable facility for working the same.

7. (1) The Governor-General in Council may, from time to time, by notification in the *Gazette of India*, make rules consistent with this Act for the conduct of all or any telegraphs established, maintained or worked by the Government or by persons licensed under this Act.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say:—

(a) the rates at which, and the other conditions and restrictions subject to which, messages shall be transmitted;

(b) the precautions to be taken for preventing the improper interception or disclosure of messages;

(c) the period for which, and the conditions subject to which, telegrams and other documents belonging to, or being in the custody of, telegraph officers shall be preserved; and

*The Indian Telegraph Act, 1885.**(Part II.—Privileges and Powers of the Government.—Sections 8-9.)**(Part III.—Power to place Telegraph Lines and Posts.—Sections 10-15.)*

(d) the fees to be charged for searching for telegrams or other documents in the custody of any telegraph officer.

(3) When making rules for the conduct of any telegraph established, maintained or worked by any person licensed under this Act, the Governor-General in Council may by the rules prescribe fines for any breach of the same:

Provided that the fines so prescribed shall not exceed the following limits, namely:—

(i) when the person licensed under this Act is punishable for the breach, one thousand rupees, and in the case of a continuing breach a further fine of two hundred rupees for every day after the first during the whole or any part of which the breach continues;

(ii) when a servant of the person so licensed, or any other person, is punishable for the breach, one-fourth of the amounts specified in clause (i).

8. The Governor-General in Council may, at any time, revoke any license granted under section 4, on the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

9. The Secretary of State for India in Council shall not be responsible for any loss or damage which may occur in consequence of any telegraph officer failing in his duty with respect to the receipt, transmission or delivery of any message; and no such officer shall be responsible for any such loss or damage, unless he causes the same negligently, maliciously or fraudulently.

PART III.

POWER TO PLACE TELEGRAPH LINES AND POSTS.

10. The telegraph authority may, from time to time, place and maintain a telegraph line under, over, along or across, and posts in or upon, any immoveable property:

Provided that—

(a) the telegraph authority shall not exercise the powers conferred by this section except for the purposes of a telegraph established or maintained by the Government, or to be so established or maintained;

(b) the Government shall not acquire any right other than that of user only in the property under, over, along, across, in or upon which the telegraph authority places any telegraph line or post; and

(c) except as hereinafter provided, the telegraph authority shall not exercise those powers in respect of any property vested in or under the control or management of any local authority, without the permission of that authority; and

(d) in the exercise of the powers conferred by this section, the telegraph authority shall do as little damage as possible, and, when it has exercised those powers in respect of any property other than that referred to in clause (c), shall pay full compensation to all persons interested for

any damage sustained by them by reason of the exercise of those powers.

11. The telegraph authority may, at any time, for the purpose of examining, repairing, altering or removing any telegraph line or post, enter on the property under, over, along, across, in or upon which the line or post has been placed.

Provisions applicable to Property vested in or under the Control or Management of Local Authorities.

12. Any permission given by a local authority under section 10, clause (c), may be given subject to such reasonable conditions as that authority thinks fit to impose, as to the payment of any expenses to which the authority will necessarily be put in consequence of the exercise of the powers conferred by that section, or as to the time or mode of execution of any work, or as to any other thing connected with or relative to any work undertaken by the telegraph authority under those powers.

13. When, under the foregoing provisions of this Act, a telegraph line or post has been placed by the telegraph authority under, over, along, across, in or upon any property vested in or under the control or management of a local authority, and the local authority, having regard to circumstances which have arisen since the telegraph line or post was so placed, considers it expedient that it should be removed or that its position should be altered, the local authority may require the telegraph authority to remove it or alter its position, as the case may be.

14. The telegraph authority may, for the purpose of exercising the powers conferred upon it by this Act in respect of any property vested in or under the control or management of a local authority, alter the position thereunder of any pipe (not being a main) for the supply of gas or water, or of any drain (not being a main drain):

Provided that—

(a) when the telegraph authority desires to alter the position of any such pipe or drain it shall give reasonable notice of its intention to do so, specifying the time at which it will begin to do so, to the local authority, and, when the pipe or drain is not under the control of the local authority, to the person under whose control the pipe or drain is;

(b) a local authority or person receiving notice under clause (a) may send a person to superintend the work, and the telegraph authority shall execute the work to the reasonable satisfaction of the person so sent.

15. (1) If any dispute arises between the telegraph authority and a local authority in consequence of the local authority refusing the permission referred to in section 10, clause (c), or prescribing any condition under section 12, or in consequence of the telegraph authority

*The Indian Telegraph Act, 1885.**(Part III.—Power to place Telegraph Lines and Posts.—Sections 16-19.)**(Part IV.—Penalties.—Sections 20-21.)*

omitting to comply with a requisition made under section 18, or otherwise in respect of the exercise of the powers conferred by this Act, it shall be determined by such officer as the Local Government may appoint either generally or specially in this behalf.

(2) An appeal from the determination of the officer so appointed shall lie to the Local Government; and the order of the Local Government shall be final.

Provisions applicable to other Property.

16. (1) If the exercise of the powers mentioned in section 10 in respect of property referred to in clause (d) of that section is resisted or obstructed, the District Magistrate may, in his discretion, order that the telegraph authority shall be permitted to exercise them.

(2) If, after the making of an order under sub-section (1), any person resists the exercise of those powers, or, having control over the property, does not give all facilities for their being exercised, he shall be deemed to have committed an offence under section 185 of the Indian Penal Code.

(3) If any dispute arises concerning the sufficiency of the compensation to be paid under section 10, clause (d), it shall, on application for that purpose by either of the disputing parties to the District Judge within whose jurisdiction the property is situate, be determined by him.

(4) If any dispute arises as to the persons entitled to receive compensation, or as to the proportions in which the persons interested are entitled to share in it, the telegraph authority may pay into the Court of the District Judge such amount as he deems sufficient or, where all the disputing parties have in writing admitted the amount tendered to be sufficient or the amount has been determined under sub-section (3), that amount; and the District Judge, after giving notice to the parties and hearing such of them as desire to be heard, shall determine the persons entitled to receive the compensation or, as the case may be, the proportions in which the persons interested are entitled to share in it.

(5) Every determination of a dispute by a District Judge under sub-section (3) or sub-section (4) shall be final:

Provided that nothing in this sub-section shall affect the right of any person to recover by suit the whole or any part of any compensation paid by the telegraph authority, from the person who has received the same.

17. (1) When, under the foregoing provisions of this Act, a telegraph line or post has been placed by the telegraph authority under, over, along, across, in or upon any property, not being property vested in or under the control or management of a local authority, and any person entitled to do so desires to deal with that property in such a manner as to render it necessary or convenient that the telegraph line or post should be removed to another part thereof or to a higher or lower level or altered in form, he may require the telegraph authority to remove or alter the line or post accordingly:

Provided that, if compensation has been paid under section 10, clause (d), he shall, when making the requisition, tender to the telegraph authority the amount requisite to defray the expense of the removal or alteration, or half of the amount paid as compensation, whichever may be the smaller sum.

(2) If the telegraph authority omits to comply with the requisition, the person making it may apply to the District Magistrate within whose jurisdiction the property is situate to order the removal or alteration.

(3) A District Magistrate receiving an application under sub-section (2) may, in his discretion, reject the same or make an order, absolutely or subject to conditions, for the removal of the telegraph line or post to any other part of the property or to a higher or lower level or for the alteration of its form; and the order so made shall be final.

Provisions applicable to all Property.

18. (1) If any tree standing or lying near a telegraph line interrupts, or is likely to interrupt, telegraphic communication, a Magistrate of the first or second class may, on the application of the telegraph authority, cause the tree to be removed or dealt with in such other way as he deems fit.

(2) When disposing of an application under sub-section (1), the Magistrate shall, in the case of any tree in existence before the telegraph line was placed, award to the persons interested in the tree such compensation as he thinks reasonable, and the award shall be final.

19. Every telegraph line or post placed before the passing of this Act under, over, along, across, in or upon any property, for the purposes of a telegraph established or maintained by the Government, shall be deemed to have been placed in exercise of the powers conferred by, and after observance of all the requirements of, this Act.

PART IV.

PENALTIES.

20. If any person establishes, maintains or works a telegraph within British India, otherwise than as permitted by a license granted under section 4, or breaks any condition contained in such a license, he shall be punished with fine which may extend to one thousand rupees, and with a further fine which may extend to five hundred rupees for every week during which the line is maintained or worked or the breach of the condition continues.

21. If any person, knowing or having reason to believe that a telegraph has been established or is maintained or worked in contravention of this Act, transmits or receives any message by such telegraph, or performs any service incidental thereto, or delivers any message for transmission by such telegraph or accepts delivery of any message sent thereby, he shall be punished with fine which may extend to fifty rupees.

*The Indian Telegraph Act, 1885.**(Part IV.—Penalties.—Sections 22-32.)**(Part V.—Supplemental Provision.—Section 33.)*

22. If a Railway Company, or an officer of a Railway Company, neglects or refuses to comply with the provisions of section 6, it or he shall be punished with fine which may extend to one thousand rupees for every day during which the neglect or refusal continues.

Intrusion into signal-room, trespass in telegraph office or obstruction.

23. If any person—

- (a) without permission of competent authority, enters the signal-room of a telegraph office of the Government, or of a person licensed under this Act, or
- (b) enters a fenced enclosure round such a telegraph office in contravention of any rule or notice not to do so, or
- (c) refuses to quit such room or enclosure on being requested to do so by any officer or servant employed therein, or
- (d) wilfully obstructs or impedes any such officer or servant in the performance of his duty, he shall be punished with fine which may extend to five hundred rupees.

24. If any person does any of the acts mentioned in section 23 with the intention of unlawfully learning the contents of any message, or of committing any offence punishable under this Act, he may (in addition to the fine with which he is punishable under section 23) be punished with imprisonment for a term which may extend to one year.

Intentionally damaging or tampering with telegraphs.

25. If any person, intending—

- (a) to prevent or obstruct the transmission or delivery of any message, or
- (b) to intercept or to acquaint himself with the contents of any message, or
- (c) to commit mischief, damages, removes, tampers with or touches any battery, machinery, telegraph line, post or other thing whatever, being part of or used in or about any telegraph or in the working thereof,

he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

26. If any telegraph officer, or any person, not being a telegraph officer but having official duties connected with any office which is used as a telegraph office,—

Telegraph officer or other official making away with or altering, or unlawfully intercepting or disclosing, messages, or divulging purport of signals.

- (a) wilfully secretes, makes away with or alters any message which he has received for transmission or delivery, or
- (b) wilfully, and otherwise than in obedience to an order of the Governor General in Council or of a Local Government, or of an officer specially authorised by the Governor General in Council to make the order, omits to transmit, or intercepts or detains, any message or any part thereof, or otherwise than in pursuance of his official duty or in obedience to the direction of a competent Court, discloses the con-

tents or any part of the contents of any message, to any person not entitled to receive the same, or

- (c) divulges the purport of any telegraphic signal to any person not entitled to become acquainted with the same,

he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

27. If any telegraph officer transmits by telegraph any message on which the charge prescribed by the Government, or by a person licensed under this Act, as the case may be, has not been paid, intending thereby to defraud the Government or that person, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

28. If any telegraph officer, or any person not being a telegraph officer but having official duties connected with any office which is used as a telegraph office, is guilty of any act of drunkenness, carelessness or other misconduct whereby the correct transmission or the delivery of any message is impeded or delayed, or if any telegraph officer loiters or delays in the transmission or delivery of any message, he shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both.

29. If any person transmits or causes to be transmitted by telegraph a message which he knows to be false or fabricated, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

30. If any person fraudulently retains, or wilfully secretes, makes away with or detains a message which ought to have been delivered to some other person, or, being required by a telegraph officer to deliver up any such message, neglects or refuses to do so, he shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

31. A telegraph officer shall be deemed a public servant within the meaning of sections 161, 162, 163, 164 and 165 of the Indian Penal Code; and in the definition of "legal remuneration" contained in the said section 161, the word "Government" shall, for the purposes of this Act, be deemed to include a person licensed under this Act.

32. Whoever attempts to commit any offence punishable under this Act shall be punished with the punishment herein provided for the offence.

PART V.

SUPPLEMENTAL PROVISION.

33. (1) Whenever it appears to the Local Government that any act causing or likely to cause wrongful damage to any telegraph is repeatedly and maliciously committed in

Power to employ additional police in places where mischief to telegraphs is repeatedly committed.

The Indian Telegraph Act, 1885.

any place, and that the employment of an additional police-force in that place is thereby rendered necessary, the Local Government may send such additional police-force as it thinks fit to the place, and employ the same therein so long as, in the opinion of that Government, the necessity of doing so continues.

(2) The inhabitants of the place shall be charged with the cost of the additional police-force, and the District Magistrate shall, subject to the orders of the Local Government, assess the proportion in which the cost shall be paid by the inhabitants according to his judgment of their respective means.

(3) All moneys payable under sub-section (2) shall be recoverable either under the warrant of a Magistrate by distress and sale of the moveable property of the defaulter within the local limits of his jurisdiction, or by suit in any competent Court.

(4) The Local Government may, by order in writing, define the limits of any place for the purposes of this section.

D. FITZPATRICK,
Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

THE following Report on the Bill to facilitate the construction of Telegraphs, and to amend the Indian Telegraph Act, 1876, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 8th July, 1885 :—

We, the undersigned, Members of the Select Committee to which the Bill to facilitate the

- construction of Telegraphs, and to amend the Indian Telegraph Act, 1876, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.
2. We are of opinion that it would be for the convenience of the Telegraph Department and the public that Act I of 1876 should be repealed and re-enacted with most of the modifications and additions proposed by the Bill as introduced. We have accordingly re-drawn the Bill as a consolidating measure.
3. Objection having been taken to licensees being entrusted with the powers with which it was proposed to invest them as telegraph authorities, we have defined "telegraph authority" to mean the Government Telegraph Department (section 3, clause (6)), and provided that that authority shall not exercise the power of placing telegraph lines and posts except for the purposes of a telegraph established or maintained by the Government or to be so established or maintained (section 10).
4. We have also amended the definition of "local authority" so as to make that expression include a cantonment authority and clearly exclude any commercial association however incorporated (section 3, clause (7)).
5. In declaring, in section 4, the exclusive privilege of the Government to extend to establishing, maintaining and working telegraphs, and in empowering the Government to grant licenses to establish, maintain or work telegraphs, we formulate what is, and has always been understood to be, the existing law, and at the same time avoid the necessity of using the words "lease" and "lessee" which were introduced into the Bill of last year (section 13). A lease is a license to work a line established and maintained by the Government, and a lessee is the holder of such a license.
6. By section 7, sub-section (2), clause (4), we propose to give the Government the power of requiring licensees to provide for the inclusion of telegraph instruments at all offices open for the receipt of public messages. Clauses (c) and (d) of the same sub-section have been suggested to us by correspondence that has been placed at our disposal by the Public Works Department of the Government of India, respecting applications from time to time made by private persons to the Telegraph Department for the preservation of telegrams.
7. Most of the objections that were taken to the Bill as introduced, chiefly by commercial bodies in Calcutta, will, it is believed, have been met by our proposal that the power of

From Officiating Registrar, High Court, Calcutta, No. 2609, dated 15th September, 1884 [Paper No. 1].

From Secretary to Chief Commissioner, Coorg, No. 807—111, dated 13th September, 1884 [Paper No. 2].

From Officiating Secretary to Chief Commissioner, British Burma, No. 771-18L., dated 26th September, 1884, and enclosures [Papers No. 3].

From Officiating Secretary to Chief Commissioner, Assam, No. 1538, dated 27th September, 1884, and enclosures [Papers No. 4].

From Chief Commissioner, Ajmer-Merwara, No. 842, dated 3rd October, 1884 [Paper No. 5].

From Officiating Secretary to Government, North-Western Provinces and Oudh, No. 1057—VII-276-24, dated 7th October, 1884, and enclosures [Papers No. 6].

From Secretary for Berar to Resident, Hyderabad, No. 359G., dated 9th October, 1884 [Paper No. 7].

From Chief Secretary to Government, Madras, No. 2541, dated 6th October, 1884, and enclosures [Papers No. 8].

From Officiating Secretary to Government, Punjab, No. 911, dated 23rd October, 1884, and enclosures [Papers No. 9].

From Assistant Secretary to Chief Commissioner, Central Provinces, No. 5183—240, dated 5th November, 1884 [Paper No. 10].

From Under-Secretary to Government, Bombay, No. 7782, dated 7th November, 1884, and enclosures [Papers No. 11].

From Secretary to Government, Bengal, No. 1461T.—R., dated 23rd October, 1884, and enclosures [Papers No. 12].

Extract, paragraph III, from Proceedings of the Meerut Association, No. 13, dated 16th November, 1884 [Paper No. 13].

Telegram from Secretary to Government, North-Western Provinces and Oudh, dated 13th December, 1884 [Paper No. 14].

placing telegraph lines and posts shall only be exercised by the Government Telegraph Department for the purposes of telegraphs established or maintained by the Government.

8. In section 11 we have, following a recent English Act, proposed to empower the telegraph authority to enter at any time on property for the purpose of examining, repairing, altering or removing any telegraph line or post that has been placed on it.

9. In section 14 we have adhered to the provisions of the English Act (26 & 27 Vic., c. 112, sections 6 and 8), though in practice the officers of the Telegraph Department will doubtless arrange for the alteration of the position of any pipe or drain being carried out by the authority having control of it.

10. In section 15 we have provided, on the suggestion of the Government of Bombay, that disputes between the telegraph authority and local authorities shall be determined by a local officer whose decision will be subject to appeal to the Local Government.

11. In section 16, sub-sections (1) and (2), we have provided for recourse being had by the telegraph authority to the District Magistrate where the exercise of the powers conferred on that authority is resisted. We have also provided in this section, sub-section (4), in accordance with the suggestion of the Government of Bombay, that the telegraph authority may pay compensation into Court where any dispute arises as to the persons entitled to receive it.

12. We have met the objections that were taken to section 10 of the Bill as introduced by providing in section 17 of the present Bill that a person desiring the removal or the alteration of the position of a telegraph line or post shall tender the cost of the removal or alteration in those cases only in which compensation has been paid by the telegraph authority, and that in those cases he shall not be required to tender more than half the sum that was paid to him as compensation.

13. By section 18 we have proposed to provide for the removal by order of a Magistrate of trees interrupting or likely to interrupt telegraphic communication. A somewhat similar provision in the case of trees dangerous to railways is contained in the Regulation of Railways Act, 1868 (31 & 32 Vic., c. 119, section 24).

14. By section 26 we propose to subject a person who is not a telegraph officer, but has official duties connected with an office which is used as a telegraph office, to the same penalty as that to which a telegraph officer is liable for secreting or altering telegrams or unlawfully intercepting or disclosing them. Many post offices in India are now used as telegraph offices, and we consider that postal officials should be restrained by penalty, as they are under the English Telegraph Act of 1863, from abusing such opportunities as they may have of becoming acquainted with the contents of telegraphic messages.

15. The publication ordered by the Council has been made as follows:—

In English.

| <i>Gazette.</i> | <i>Date.</i> |
|--|--|
| <i>Gazette of India</i> ... | 23rd and 30th August, and 6th September, 1884. |
| <i>Port Saint George Gazette</i> ... | 9th September, 1884. |
| <i>Bombay Government Gazette</i> ... | 28th August, and 4th and 11th September, 1884. |
| <i>Calcutta Gazette</i> ... | 3rd, 10th and 17th September, 1884. |
| <i>North-Western Provinces and Oudh Government Gazette</i> ... | 30th August, and 6th and 13th September, 1884. |
| <i>Punjab Government Gazette</i> ... | 4th, 11th and 18th September, 1884. |
| <i>Central Provinces Gazette</i> ... | 30th August, and 6th and 13th September, 1884. |
| <i>British Burma Gazette</i> ... | 13th, 20th and 27th September, 1884. |
| <i>Assam Gazette</i> ... | 13th September, 1884. |

In the Vernaculars.

| <i>Province.</i> | <i>Language.</i> | <i>Date.</i> |
|--------------------------------------|------------------|---|
| Madras ... | Tamil ... | 18th November, 1884. |
| Bombay ... | Gujarathi ... | 13th November, 1884. |
| | Kannese ... | 13th November, 1884. |
| Bengal ... | Bengali ... | 4th November, 1884. |
| | Hindi ... | 4th November, 1884. |
| | Uriya ... | 13th November, 1884. |
| North-Western Provinces and Oudh ... | Urdu ... | 13th December, 1884, and 24th and 31st January, 1885. |
| Punjab ... | Urdu ... | 22nd and 29th September, and 6th October, 1884. |
| Burma ... | Burmese ... | 27th September, and 4th and 11th October, 1884. |

We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

T. C. HOPE.

C. P. ILBERT.

The 8th July, 1885.

D. FITZPATRICK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 31st July, 1885, and is hereby promulgated for general information:—

ACT No. XIV OF 1885.

An Act to amend the Burma Courts Act, 1875, and section 360 of the Code of Civil Procedure.

WHEREAS it is expedient to amend the Burma Courts Act, 1875, and section 360 of the Code of Civil Procedure; It is hereby enacted as follows:—

Short title and commencement.

1885; and

(2) It shall come into force at once.

2. (1) The Chief Commissioner of British

Power to vest in local officers insolvency jurisdiction vested in Recorder in Moulmein, Akyab and Bassein.

in the Recorder within the towns of Moulmein, Akyab and Bassein by section 66 of the Burma Courts Act, 1875, shall be vested, as regards each or any of those towns, as follows:—

(a) in the Civil Judge of Moulmein within the town of Moulmein;

(b) in the Deputy Commissioner of Akyab within the town of Akyab;

(c) in the Deputy Commissioner of Bassein within the town of Bassein.

(2) While any such order is in force, the said section 66 shall, with respect to any town to which the order applies, have effect as if it referred to the officer in whom the jurisdiction is so

vested instead of to the Recorder, and all cases pending at the date of the order shall be disposed of accordingly.

(3) Provided that nothing in this section shall prevent the Recorder from entertaining and disposing of in his own Court any case, whether pending at the date of the order or subsequently instituted, which, by reason of its importance or otherwise, may, in his opinion, be more conveniently so disposed of.

(4) The Chief Commissioner may, by order notified as aforesaid, cancel any order made under sub-section (1) as to all or any of the towns to which the order applies, but not so as to affect any proceedings pending at the date of the cancelling order.

3. The last paragraph of section 360 of the Code of Civil Procedure is hereby repealed.

4. (1) The Chief Commissioner may, from time to time, transfer to the Court of the Judicial Commissioner any particular cases or particular classes of cases that may be pending in the Court of the Recorder.

(2) In the disposal of such cases the Judicial Commissioner shall administer the same law, follow the same procedure, exercise the same powers and use the same seal as would be administered, followed, exercised and used by the Recorder in like cases.

(3) Section 84 of the Burma Courts Act, 1875, shall apply to the Court of the Judicial Commissioner when disposing of such cases.

(4) All decrees, orders and sentences made or passed in such cases by the Judicial Commissioner shall, for the purposes of the law relating to appeals, references and revision, be deemed to be made or passed by the Recorder.

D. FITZPATRICK,

Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, AUGUST 15, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 31st July, 1885, and is hereby promulgated for general information:—

ACT No. XIV OF 1885.

An Act to amend the Burma Courts Act, 1875, and section 360 of the Code of Civil Procedure.

WHEREAS it is expedient to amend the Burma Courts Act, 1875, and section 360 of the Code of Civil Procedure; It is hereby enacted as follows:—

Short title and commencement.
1885; and

1. (1) This Act may be called the Burma Courts Act,

(2) It shall come into force at once.

2. (1) The Chief Commissioner of British

Power to vest in local officers insolvency jurisdiction vested in Recorder in Moulmein, Akyab and Bassein.

Burma may, from time to time, by order notified in the official Gazette, direct that, from a date to be therein specified, the jurisdiction vested

in the Recorder within the towns of Moulmein, Akyab and Bassein by section 66 of the Burma Courts Act, 1875, shall be vested, as regards each or any of those towns, as follows:—

(a) in the Civil Judge of Moulmein within the town of Moulmein;

(b) in the Deputy Commissioner of Akyab within the town of Akyab;

(c) in the Deputy Commissioner of Bassein within the town of Bassein.

(2) While any such order is in force, the said section 66 shall, with respect to any town to which the order applies, have effect as if it referred to the officer in whom the jurisdiction is so

vested instead of to the Recorder, and all cases pending at the date of the order shall be disposed of accordingly.

(3) Provided that nothing in this section shall prevent the Recorder from entertaining and disposing of in his own Court any case, whether pending at the date of the order or subsequently instituted, which, by reason of its importance or otherwise, may, in his opinion, be more conveniently so disposed of.

(4) The Chief Commissioner may, by order notified as aforesaid, cancel any order made under subsection (1) as to all or any of the towns to which the order applies, but not so as to affect any proceedings pending at the date of the cancelling order.

3. The last paragraph of section 360 of the Code of Civil Procedure is hereby repealed.

4. (1) The Chief Commissioner may, from time to time, transfer to the Court of the Judicial Commissioner any particular cases or particular classes of cases that may be pending in the Court of the Recorder.

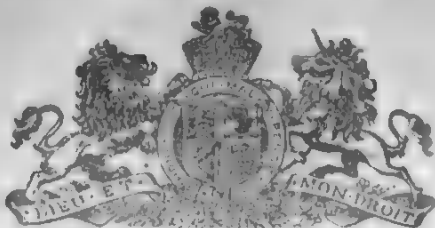
(2) In the disposal of such cases the Judicial Commissioner shall administer the same law, follow the same procedure, exercise the same powers and use the same seal as would be administered, followed, exercised and used by the Recorder in like cases.

(3) Section 84 of the Burma Courts Act, 1875, shall apply to the Court of the Judicial Commissioner when disposing of such cases.

(4) All decrees, orders and sentences made or passed in such cases by the Judicial Commissioner shall, for the purposes of the law relating to appeals, references and revision, be deemed to be made or passed by the Recorder.

D. FITZPATRICK,

Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 3, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 2nd October, 1885, and is hereby promulgated for general information:—

ACT No. XV OF 1885.

An Act to amend the Local Authorities Loan Act, 1879.

WHEREAS it is expedient to amend the Local Authorities Loan Act, 1879; It is hereby enacted as follows:—

Addition to section 8, Act XI of 1879.

1. After clause (b) of the proviso to section 8 of the said Act the following shall be added:—

“or

“(c) to affect the power conferred on any local authority by any such enactment to charge its funds by guaranteeing the payment of interest on money to be applied to any purpose to which the funds of the local authority can legally be applied.”

D. FITZPATRICK,

Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill to amend the Local Authorities Loan Act, 1879, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 23rd September, 1885:—

WE, the undersigned, Members of the Select Committee to which the Bill to amend

- the Local Authorities Loan Act, 1879, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.
- From Secretary to Chief Commissioner, British Burma, No. 303—241., dated 15th June, 1885 [Paper No. 1].
From Secretary to Chief Commissioner, Assam, No. 972, dated 18th June, 1885 [Paper No. 2].
From Chief Commissioner, Ajmer-Merwara, No. 722, dated 3rd July, 1885 [Paper No. 3].
From Secretary to Government, North-Western Provinces and Oudh, No. 3051—X-518, dated 10th July, 1885 [Paper No. 4].
From Officiating Secretary to Government, Punjab, No. 7318., dated 17th July, 1885, and enclosures [Papers No. 5].
From Secretary for Berar to Resident, Hyderabad, No. 2710., dated 13th July, 1885 [Paper No. 6].
From Secretary to Chief Commissioner, Coorg, No. 698—89, dated 14th July, 1885 [Paper No. 7].
From Chief Secretary to Government, Madras, No. 1890, dated 10th July, 1885, and enclosures [Papers No. 8].
From Under Secretary to Government, Bombay, No. 2054, dated 18th July, 1885, and enclosures [Papers No. 9].
From Officiating Secretary to Government, Bengal, No. 1370, dated 20th July, 1885, and enclosures [Papers No. 10].
From Assistant Secretary to Chief Commissioner, Central Provinces, No. 3052—147, dated 11th August, 1885 [Paper No. 11].

2. It has been suggested that the term “raised” should be altered so as to include money devoted to any particular purpose by a person who may not have occasion to raise it, and we have accordingly substituted the words “applied to” for “raised for”.

3. The only other alteration we have made in the Bill is a purely verbal one.

4. The publication ordered by the Council has been made as follows :—

| <i>Gazette.</i> | <i>In English.</i> | <i>Date.</i> |
|--|--|--------------|
| <i>Gazette of India</i> ... | ... 16th, 23rd and 30th May, 1885. | |
| <i>Fort St. George Gazette</i> ... | ... 2nd June, 1885. | |
| <i>Bombay Government Gazette</i> ... | ... 28th May, and 4th and 11th June, 1885. | |
| <i>Calcutta Gazette</i> ... | ... 27th May, and 3rd and 10th June, 1885. | |
| <i>North-Western Provinces and Oudh Gov- ernment Gazette</i> ... | ... 23rd and 30th May, and 6th June, 1885. | |
| <i>Punjab Government Gazette</i> ... | ... 21st and 28th May, and 4th June, 1885. | |
| <i>Central Provinces Gazette</i> ... | ... 23rd and 30th May, and 6th June, 1885. | |
| <i>British Burma Gazette</i> ... | ... 6th, 13th and 20th June, 1885. | |
| <i>Assam Gazette</i> ... | ... 6th and 13th June, 1885. | |
| <i>Coorg District Gazette</i> ... | ... 1st July, 1885. | |

| <i>Province.</i> | <i>Language.</i> | <i>Date.</i> |
|---|--|---------------------------------|
| <i>Bombay</i> ... | Maráthí Gujaráthí Kanarese Sindhí | } 25th June, 1885. |
| <i>Bengal</i> ... | Bengalí Hindí | |
| | Uriya | |
| | Urdu | |
| <i>North-Western Provinces and Oudh</i> | Urdu | 4th, 11th and 18th July, 1885. |
| <i>Punjab</i> ... | Urdu | 16th, 22nd and 29th June, 1885. |
| <i>Central Provinces</i> ... | Maráthí | 11th, 18th and 25th July, 1885. |
| <i>Coorg</i> ... | Kanarese | 1st July, 1885. |

We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

T. C. HOPE.

C. P. ILBERT.

S. C. BAYLEY.

The 23rd September, 1885.

D. FITZPATRICK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 2nd October, 1885, and is hereby promulgated for general information:—

ACT No. XVI OF 1885.

THE CENTRAL PROVINCES CIVIL COURTS ACT, 1885.

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4. Classes of Courts.

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6. Courts of Commissioners and Deputy Commissioners.
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14. Superintendence and control of subordinate Courts by Courts of Judicial Commissioner, Commissioner and Deputy Commissioner.
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17. Appeals to whom to lie.
18. Period of limitation for appeals.

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19. Power to make rules.

Supplemental Provisions.

20. Books and accounts, and statements and returns, to be kept and furnished by Judicial Commissioner.
21. Place of sitting of Courts.
22. Mode of conferring powers.
23. Vacations.
24. Pending proceedings.
25. Appeals after Act comes into force against decrees and orders passed before.
26. Powers exercisable from time to time.
27. Publication of certain orders.

An Act to amend the Law relating to Civil Courts in the Central Provinces.

WHEREAS it is expedient to amend the Law relating to Civil Courts in the Central Provinces; It is hereby enacted as follows:—

Preliminary.

1. (1) This Act may be called the Central Provinces Civil Courts Act, 1885.

- (2) It extends to the territories for the time being under the administration of the Chief Commissioner of the Central Provinces; and

The Central Provinces Civil Courts Act, 1885.—Sections 2-11.

(3) It shall come into force on the first day of January, 1886.

(4) Any authority conferred on the Chief Commissioner or on the Judicial Commissioner by this Act to issue orders or make rules may be exercised at any time after the passing of this Act; but an order or rule so issued or made shall not take effect until the Act comes into force.

2. (1) On and from the day on which this Act comes into force the Central Provinces Courts Act, 1865, and Act XXVII of 1867, so far as it relates to the Central Provinces, shall be repealed.

(2) Any enactment or document referring to either of the enactments hereby repealed shall be construed to refer to this Act or to the corresponding portion thereof; and all declarations made, powers conferred, limits prescribed, directions given and orders issued under either of those enactments shall, so far as may be, be deemed to have been respectively made, conferred, prescribed, given and issued under this Act.

3. In this Act, unless there is something repugnant in the subject or context,—

“Assistant Commissioner” includes Extra Assistant Commissioner; and

“value,” used with reference to a suit, means the amount or value of the subject-matter of the suit.

Classes of Courts.

4. Besides the Courts of Small Causes established under Act XI of 1865, and the Courts established under any other enactment for the time being in force, there shall be the following classes of Civil Courts, namely:—

- (a) the Court of the Judicial Commissioner;
- (b) the Court of the Commissioner;
- (c) the Court of the Deputy Commissioner;
- (d) the Court of the Assistant Commissioner of the first class;
- (e) the Court of the Assistant Commissioner of the second class;
- (f) the Court of the Assistant Commissioner of the third class;
- (g) the Court of the Tahsildār of the first class;
- (h) the Court of the Tahsildār of the second class.

Court of the Judicial Commissioner.

5. The Judicial Commissioner shall be appointed by the Governor-General in Council; and his Court shall be deemed, for the purposes of all enactments for the time being in force, to be the highest Civil Court of appeal in the territories to which this Act extends.

Courts of Commissioners and Deputy Commissioners.

6. (1) The local limits of the jurisdiction of the Court of the Commissioner shall be those of the division of the revenue-administration of which he is in charge.

(2) The local limits of the jurisdiction of the Court of the Deputy Commissioner shall be those

of the district of the revenue-administration of which he is in charge.

7. Except as otherwise provided by any enactment for the time being in force, the Court of the Commissioner and the Court of the Deputy Commissioner shall be competent to try original civil suits without limit as regards the value.

8. Except as otherwise provided by any enactment for the time being in force, the Deputy Commissioner shall be deemed to be the District Judge of the district, and his Court to be the District Court or principal Civil Court of original jurisdiction in the district.

Other Courts.

9. The Chief Commissioner may, by order in writing, declare, as regards any Assistant Commissioner, that his Court shall be that of an Assistant Commissioner of the first or of the second or of the third class, and, as regards any Tahsildār, that his Court shall be that of a Tahsildār of the first or of the second class.

10. (1) Courts of Assistant Commissioners and Tahsildārs shall be competent to try original civil suits of which the value does not exceed that specified against each Court in the following table:—

| Courts. | Value. |
|---|-----------------------|
| Court of the Assistant Commissioner of the first class | Five thousand rupees. |
| Court of the Assistant Commissioner of the second class | One thousand rupees. |
| Court of the Assistant Commissioner of the third class | Five hundred rupees. |
| Court of the Tahsildār of the first class | Three hundred rupees. |
| Court of the Tahsildār of the second class | One hundred rupees. |

Provided that the Chief Commissioner may, by order in writing, limit the classes of original civil suits which the Courts of Tahsildārs of the first or of the second class shall be competent to try.

(2) The local limits of the jurisdiction of the Courts mentioned in this section shall be such as the Chief Commissioner may, by order in writing, define.

Naib-tahsildārs.

11. The Chief Commissioner may, by order in writing, invest, within certain limits, such local limits as he thinks fit, any Naib-tahsildār with jurisdiction to try suits of the nature cognizable in a Court of Small Causes established under Act XI of 1865, up to such value, not exceeding fifty rupees, as he thinks fit.

*The Central Provinces Civil Courts Act, 1885.—Sections 12-18.**Judicial Assistants to Commissioners, Civil Judges and Munsifs.*

Power to invest certain persons, under the names of Judicial Assistant to Commissioners, Civil Judge and Munsif, with certain powers.

12. (1) The Chief Commissioner may, by order in writing, invest any person—

- (a) with all or any of the powers of the Court of the Commissioner under this Act;
- (b) with all or any of the powers of the Court of the Deputy Commissioner under this Act; or
- (c) with all or any of the powers of the Court of a Tahsildar of the first or of the second class under this Act;

and declare that the powers with which any person is so invested shall be exercised within any specified local area, and with respect to any particular class, or particular classes, of cases, or with respect to cases generally.

(2) Persons invested with powers under subsection (1) shall be designated as follows:—

- if invested under clause (a)—Judicial Assistant to the Commissioner;
- if invested under clause (b)—Civil Judge;
- if invested under clause (c)—Munsif.

(3) The Courts of such persons shall, for all purposes connected with the exercise of the said powers, be deemed to be, respectively, Courts of Commissioners, Courts of Deputy Commissioners and Courts of Tahsildars.

(4) The Chief Commissioner may, by order in writing, direct how business shall be distributed between the Commissioner and the Judicial Assistant to the Commissioner, and between the Deputy Commissioner and the Civil Judge.

Small Cause Court Jurisdiction.

13. The Chief Commissioner may, by order in writing, confer, within such local limits as he thinks fit, upon any Court of an Assistant Commissioner of the first or of the second class the jurisdiction of a Judge of a Court of Small Causes under Act XI of 1865 for the trial of suits cognizable by such Courts up to such value as he thinks fit, not exceeding, if the Court is that of an Assistant Commissioner of the first class, five hundred rupees, or, if the Court is that of an Assistant Commissioner of the second class, one hundred rupees.

Administrative Control.

14. (1) The general superintendence and control over all other Civil Courts shall be vested in, and all such Courts shall be subordinate to, the Court of the Judicial Commissioner.

(2) Subject to the general superintendence and control of the Court of the Judicial Commissioner, the control of all other Civil Courts in a division shall be vested in, and all such Courts shall be subordinate to, the Court of the Commissioner.

(3) Subject as aforesaid and to the control of Court of the Commissioner, the control of all other Civil Courts in a district shall be vested in, and all such Courts shall be subordinate to, the Court of the Deputy Commissioner:

Provided that the Chief Commissioner, by order in writing, may direct that any Judicial Assistant to the Commissioner or Civil Judge shall not be subject to the control of, or subordinate to, the Court of the Commissioner or the Court of the Deputy Commissioner, as the case may be, and may further direct that such officer shall be subject to the control of, and subordinate to, such other Court as the Chief Commissioner thinks fit.

15. (1) The Court of the Commissioner may exercise, as regards the Courts under its control, the same powers of withdrawal, trial and transfer as are conferred by section 25 of the Code of Civil Procedure on a District Court. XIV of 1882.

(2) The Court trying any suit withdrawn under this section from a Court of Small Causes shall, for the purposes of the suit, be deemed to be a Court of Small Causes.

16. Notwithstanding anything contained in the Code of Civil Procedure, the Court of the Commissioner and the Court of the Deputy Commissioner may, by order in writing, direct that any civil business cognizable by it and the Courts under its control shall be distributed among those Courts in such manner as it thinks fit: XIV of 1882.

Provided that no direction given under this section shall empower any Court to exercise any powers or deal with any business beyond the limits of its proper jurisdiction.

Appellate Jurisdiction.

17. (1) Appeals from decrees passed in original civil suits by Courts subordinate to the Court of the Deputy Commissioner shall, when such appeals are allowed by law and the value of the suit does not exceed one thousand rupees, lie to that Court.

(2) Appeals from decrees passed in original civil suits of value exceeding one thousand rupees by the Court of an Assistant Commissioner of the first class, or by a Civil Judge who is subordinate to the Court of the Deputy Commissioner, and from decrees passed in original civil suits of any value by the Court of a Deputy Commissioner, or by a Civil Judge who is not subordinate to that Court, or by a Judicial Assistant to the Commissioner who is subordinate to the Court of the Commissioner, shall, when such appeals are allowed by law, lie to the Court of the Commissioner.

(3) Appeals from decrees passed in original civil suits by the Court of the Commissioner or by a Judicial Assistant to the Commissioner who is not subordinate to the Court of the Commissioner, and from appellate decrees passed by Civil Courts subordinate to the Court of the Judicial Commissioner, shall, when such appeals are allowed by law, lie to the Court of the Judicial Commissioner.

Period of limitation for appeals.

18. (1) The period of limitation for an appeal to the Court of the Commissioners shall be sixty days.

(2) In the computation of that period and in all other respects the limitation of appeals shall be governed by the provisions of the Indian Limitation Act, 1877.

XIV of 1877.

*The Central Provinces Civil Courts Act, 1885.—Sections 19-25.**Rules.*

19. (1) The Judicial Commissioner may make rules consistent with this Act and any other enactment for the time being in force—
- Power to make rules.
- (a) declaring what persons shall be permitted to practise as petition-writers in Civil Courts, and regulating the conduct of persons so practising;
- (b) prescribing forms for seals to be used by those Courts;
- (c) regulating the procedure in cases where any person is entitled to inspect a record of any Civil Court or obtain a copy of the same, and prescribing the fees payable by such persons for searches and copies;
- (d) conferring and imposing on the ministerial officers of Civil Courts such powers and duties of a non-judicial or quasi-judicial nature as he thinks fit, and regulating the mode in which powers and duties so conferred and imposed shall be exercised and performed;
- (e) prescribing forms for such books, entries, statistics and accounts as he thinks necessary to be kept, made or compiled in those Courts or submitted to any authority;
- (f) providing for the inspection of those Courts, and the supervision of the working thereof; and
- (g) regulating all such matters as he may think fit, with a view to promoting the efficiency of the judicial and ministerial officers of those Courts and maintaining proper discipline among those officers.
- (2) A rule made under this section shall not take effect until it has been sanctioned by the Chief Commissioner and published in the official Gazette.
- (3) Whoever breaks any rule made under clause (a) shall be punished with fine which may extend to fifty rupees.
- (4) Rules made under clause (g) may provide, among other matters, for fines, to an amount not exceeding one month's salary, being imposed on ministerial officers for misconduct or neglect in the performance of their duties, and for the recovery of fines so imposed by deduction of the amount thereof from any salary that may be or become due to the officers fined.

Supplemental Provisions.

20. (1) The Judicial Commissioner shall keep such registers, books and accounts as may be necessary for the transaction of the business of his Court, and shall submit to the Chief Commissioner such of those registers, books and accounts, and such statements of the work done in his Court, as may be required by the Chief Commissioner.
- Books and accounts, and statements and returns, to be kept and furnished by Judicial Commissioner.
- (2) The Judicial Commissioner shall also comply, in such form and manner as the Chief Commissioner may deem proper, with such requisitions as may be made by the Chief Commissioner for records of, or papers belonging to, the Court of the Judicial Commissioner or any Civil Court subordinate thereto, or for certified copies of, or

extracts from, such records or papers, or for returns, statements or reports.

21. (1) The Chief Commissioner may, by order in writing, fix the place or places at which any Civil Court shall be held.
- Place of sitting of Courts.

(2) The place or places so fixed may be beyond the local limits of the jurisdiction of the Court.

(3) Except as may be otherwise provided by any order under this section, a Civil Court may be held at any place within the local limits of its jurisdiction.

22. The Chief Commissioner may, when he is empowered by this Act to confer any powers, confer them on any person specially by name or by virtue of his office.
- Made of conferring powers.

23. (1) Subject to the approval of the Chief Commissioner, the Judicial Commissioner shall prepare a list of days to be observed in each year as holidays in his Court and the Civil Courts subordinate thereto.

Vacations.

(2) The list shall be published in the official Gazette.

24. (1) All cases or proceedings pending in the Court of the Judicial Commissioner on the day when this Act comes into force shall be disposed of as if this Act had not been passed.

Pending proceedings.

(2) All cases or proceedings pending in any Civil Court subordinate to the Court of the Judicial Commissioner on that day shall be disposed of as if this Act had not been passed:

Provided that the Judicial Commissioner may direct that any such cases or proceedings shall be transferred for disposal to any Court established under this Act which would have had jurisdiction if it had been in existence when the cases or proceedings were instituted.

(3) In the case of an appeal pending on the said day, the following shall, for the purposes of sub-section (2), be deemed to be the Court which would have had jurisdiction as aforesaid, namely:—

(a) when the value of the suit does not exceed one thousand rupees and the decree or order has been passed by a Court of a class lower than that of the Deputy Commissioner—the Court of the Deputy Commissioner;

(b) in other cases when the decree or order has been passed by a Court of a class lower than that of the Commissioner—the Court of the Commissioner.

25. Appeals from decrees and orders passed by Civil Courts and not appealed against before the date on which this Act comes into force shall lie and be disposed of as if this Act had not been passed and not otherwise;

Appeals after Act comes into force against decrees and orders passed before.

Provided that the Courts to which such appeals shall lie shall be as follows:—

(a) when the appeal would before the said date have lain to the Court of the Judicial Commissioner—that Court;

The Central Provinces Civil Courts Act, 1885.—Sections 26-27.

(b) when the appeal is from a decree or order passed by a Court of a class lower than that of the Deputy Commissioner in an original civil suit of which the value does not exceed one thousand rupees—the Court of the Deputy Commissioner;

(c) in other cases when the decree or order has been passed by a Court of a class lower than that of the Commissioner—the Court of the Commissioner.

26. All powers conferred by this Act may be
Powers exercisable from time to time exercised from time to time
as occasion requires.

27. All orders required by this Act to be
Publication of certain orders. issued by the Chief Commissioner in writing shall be published in the official Gazette.

D. FITZPATRICK,

Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill to amend the Law relating to Civil Courts in the Central Provinces was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 23rd September, 1885:—

We, the undersigned, Members of the Select Committee to which the Bill to amend the Law relating to Civil Courts in the Central Provinces was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

From Officiating Secretary to Chief Commissioner, Central Provinces, No. 3492—174, dated 10th September, 1885, and enclosure [Papers No. 1].

2. The Bill as introduced has been approved by the Chief Commissioner, and does not, in our opinion, call for any modification.

3. The publication ordered by the Council has been made as follows:—

In English.

| <i>Gazette.</i> | | <i>Date.</i> |
|----------------------------------|-----|----------------------------------|
| <i>Gazette of India</i> | ... | 1st, 8th and 15th August, 1885. |
| <i>Central Provinces Gazette</i> | ... | 8th, 15th and 22nd August, 1885. |

In the Vernaculars.

| <i>Province.</i> | <i>Language.</i> | <i>Date.</i> |
|-------------------|------------------|--|
| Central Provinces | Maráthi | 20th August, and 5th and 12th September, 1885. |
| | Hindí | 5th, 12th and 19th September, 1885. |

4. We recommend that the Bill be passed.

C. P. ILBERT.

S. C. BAYLEY.

W. W. HUNTER.

The 23rd September, 1885.

D. FITZPATRICK,

Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 10, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

SECTION 2.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 2nd October, 1885, and is hereby promulgated for general information:—

ACT No. XV OF 1885.

An Act to amend the Local Authorities Loan Act, 1879.

WHEREAS it is expedient to amend the Local Authorities Loan Act, 1879; It is hereby enacted as follows:—

Addition to section 8, Act XI of 1879.

1. After clause (b) of the proviso to section 8 of the said Act the following shall be added:—

“or

“(c) to affect the power conferred on any local authority by any such enactment to charge its funds by guaranteeing the payment of interest on money to be applied to any purpose to which the funds of the local authority can legally be applied.”

D. FITZPATRICK,
Secy. to the Govt. of India.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill to amend the Local Authorities Loan Act, 1879, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 23rd September, 1885:—

WE, the undersigned, Members of the Select Committee to which the Bill to amend the Local Authorities Loan Act, 1879, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

- From Secretary to Chief Commissioner, British Burma, No. 303—24L., dated 18th June, 1885 [Paper No. 1].
- From Secretary to Chief Commissioner, Assam, No. 972, dated 18th June, 1885 [Paper No. 2].
- From Chief Commissioner, Ajmer-Merwara, No. 722, dated 3rd July, 1885 [Paper No. 3].
- From Secretary to Government, North-Western Provinces and Oudh, No. 3051—X-518, dated 10th July, 1885 [Paper No. 4].
- From Officiating Secretary to Government, Punjab, No. 731B., dated 17th July, 1885, and enclosures [Papers No. 5].
- From Secretary for Berar to Resident, Hyderabad, No. 274G., dated 13th July, 1885 [Paper No. 6].
- From Secretary to Chief Commissioner, Coorg, No. 688—89, dated 14th July, 1885 [Paper No. 7].
- From Chief Secretary to Government, Madras, No. 1800, dated 10th July, 1885, and enclosures [Papers No. 8].
- From Under Secretary to Government, Bombay, No. 2054, dated 18th July, 1885, and enclosures [Papers No. 9].
- From Officiating Secretary to Government, Bengal, No. 1370, dated 20th July, 1885, and enclosures [Papers No. 10].
- From Assistant Secretary to Chief Commissioner, Central Provinces, No. 3062—147, dated 11th August, 1885 [Paper No. 11].

2. It has been suggested that the term “raised” should be altered so as to include money devoted to any particular purpose by a person who may not have occasion to raise it, and we have accordingly substituted the words “applied to” for “raised for”.

3. The only other alteration we have made in the Bill is a purely verbal one.